

**Multilevel Governing in British Columbia: A Case
Study of Residential Development and the
Agricultural Land Reserve in the City of Richmond**

**by
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Abstract

This thesis presents a locally specific case study of the Agricultural Land Reserve (ALR) in the City of Richmond, British Columbia, providing an examination of multi-level governance and government 'on the ground' in Canada. The last several years represents a significant period of policy and political change, at both the City of Richmond and the Province of British Columbia, intended to protect ALR land from residential and accessory residential uses as well as the outright exclusion of land from the Reserve. Yet, a lack a cooperation and policy coordination between, across and within federal, provincial, regional, and municipal scales has allowed such exclusions and the increased residential and accessory residential development of land within the ALR to occur. Such policy discord and inconsistencies are largely attributable to several challenges inherent in the multi-jurisdictional character of the ALR with sometimes competing and conflicting interests between government scales and conflicting private and public interests. Most significant has been a lack of political will to act and the passing off of jurisdictional responsibility between government levels. Moving forward, further province-wide regulation limiting non-agricultural uses of ALR lands while allowing for continued municipal flexibility in regulating below these provincial benchmarks is needed. Such increased provincial regulation would allow for greater consistency between municipalities as well as urban and agricultural areas within cities, reducing the appeal of ALR lands for residential and accessory residential development.

Keywords: ALR; ALC; City of Richmond; Multi-Level Governance

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List of Acronyms

ALC	Agricultural Land Commission
ALR	Agricultural Land Reserve
BC	British Columbia
COR	City of Richmond
LMRPB	Lower Mainland Regional Planning Board
LRP	Liveable Region Plan
LRSP	Liveable Region Strategic Plan
NDP	New Democratic Party
MLG	Multi-level Governance
GVRD	Greater Vancouver Regional District
MVRD	Metro Vancouver Regional District
UBCM	Union of BC Municipalities
RFOA	Richmond Farmland Owners Association

Chapter 1.

Introduction

Through a case study of Richmond, British Columbia, this thesis analyzes the Agricultural Land Reserve's (ALR) success in protecting a regional agricultural land base from non-agricultural purposes and the impacts of the ALR's multi-level governance (MLG) framework on this success. In this introductory chapter a brief history of the ALR, including the factors that led to its creation are provided, namely the increased regional concerns amongst many politicians, planners, academics and advocates regarding the loss of agricultural land to non-farm purposes. Then, arguments made by proponents and opponents of the ALR are outlined to illustrate that despite criticism, many scholars view the preservation of agricultural land for current or future agricultural use as significant in planning for the region's future (Campbell, 2006; Hanna & Noble, 2010; Runka, 2006; Smith, 2012). However, in the multi-jurisdictional context of the ALR, the problem of a lack of cooperation and coordination in the creation of policies between, across and within federal, provincial, regional and municipal scales of government has allowed for the continued non-farm use of excluded ALR land as well as land still within the Reserve's boundaries. The City of Richmond is a municipality where this problem is particularly evident given the significant proportion of ALR land within its borders and recent attempts to change local bylaws in order to curb the residential and accessory residential development of ALR lands. Such attempts have led to conflict between and within government scales and illustrate the difficulties of implementing policies that support the protection of agricultural land, a central tenet of the regional planning vision, within an MLG context characterized by sometimes competing and conflicting politics and interests. The City of Richmond's significance is discussed in further detail towards the end of this chapter.

In order to understand and establish the problem addressed in this study, a literature review is provided in chapter two that outlines a theoretical framework, identifies gaps in previous literature and situates this work amongst past scholarship. In Chapter three the methodological design of this study is described. Then, the politics and policies of federal, provincial, regional and municipal government scales, which have helped shape the boundaries and use of ALR lands since its inception are

explored. In Chapter five, the associated challenges of protecting agricultural land in a multi-jurisdictional context are examined. Afterwards, the impacts of such politics and policies on the extent and distribution of agricultural to non-agricultural land use conversion in the City of Richmond are analyzed. Finally, recommendations are provided to help address such challenges and the loss of agricultural land to non-agricultural uses moving forward.

1.1. The Creation of the B.C. Agricultural Land Reserve

By the 1970s, British Columbia, Canada's most western province, was losing approximately 6,000 hectares of farmland a year to urban expansion, as a result of non-agricultural development of farmland and increased speculative pressures (Hanna, 1997, pp. 166-167). Much of this loss occurred in the Lower Mainland where both the Province's prime agricultural land and urban development were concentrated (Garrish, 2002/2003, p. 30; Hanna, 1997, p. 166; Oberlander & Smith, 1993, p. 333). In the face of "massive" regional population growth projections (Petter, 1985, p. 5), and the region's "constrained setting" of surrounding water bodies, mountains and the U.S. border (Taylor & Burchfield, 2010, p. 88), it was feared that urban development would eventually "inundate the remaining farmlands with suburbia" (Peterson, 1971, p. 1). Many also believed that "local governments were proving unable or unwilling to hold the line against rezoning agricultural lands to supposedly 'higher and better uses'" (Runka, 2006, p. 1).

These agricultural land concerns date back to the Lower Mainland Regional Planning Board (LMRPB), a regional authority created by the Province in 1949 through the *Town Planning Act* (Green, 2002/2003, p. 31; Harcourt et al., 2007, pp. 16-17, Oberlander & Smith, 1993, pp. 334, 358). The Board released a 1952 report titled, *The Lower Mainland Looks Ahead*, which expressed concerns about the regional loss of agricultural land (Harcourt, 2007, p. 57), criticized the "limited ability" of municipalities "to adequately resolve the challenges of a rapidly expanding metropolitan area in isolation from one another," and argued for "a bold centralization of the planning process" (Green, 2002/2003, pp. 30-32). In this report, the LMRPB stated that "since we will someday have to supply more than twice our present population" with agricultural goods, "it is utter folly to sacrifice our most fertile land on the altar of unproductive residential use when more suitable land is available" (Lower Mainland Regional Planning Board, 1952, p. 39). These sentiments were echoed in the later 1962 LMRPB report *Land for Farming* and

the 1963 report *Chance and Challenge*, which introduced the “Cities in a Sea of Green Vision” (Harcourt, 2007, p. 57; LMRPB, 1963, p. 6). In 1966, the LMRPB released the *Official Regional Plan of the Lower Mainland Regional Planning Board, the Municipalities of the Region, and the Province of British Columbia*, the first “official statutory [regional] plan” reflecting this “Vision” (McDougall et al., pp. 6, 10, 14; Taylor & Burchfield, 2010, p. 64). This Plan touched on the need to control and prevent urban sprawl (Garrish, 2002/2003, pp. 30-31), which has been defined by Flores & Irwin as “new urban development that occurs in a fragmented (discontinuous) and dispersed (noncompact) pattern across the landscape” (Flores & Irwin, 2004, p. 890). Critiques of provincial land use decisions that opposed this “Vision,” by LMRBP board members, led to intergovernmental conflict and the Province’s disbanding the Board in 1969 (Oberlander & Smith, 1993, p. 359). However, its successor, the Regional District of Fraser-Burrard, which was later renamed the Greater Vancouver Regional District (GVRD), continued to maintain the LMRBP’s goal of protecting an agricultural land base from urban sprawl through regional plans (Oberlander & Smith, 1993, pp. 334-335, 364; Taylor & Burchfield, 2010, p. 64).

In an attempt to curry favor with voters and prevail over the Social Credit Party, which had formed the provincial government since 1952, the Conservative, Liberal and New Democratic parties made policy promises to “stop the depletion of agricultural land” in the months leading up to the 1972 B.C. election (Petter, 1985, p. 8). Following the electoral victory of a first-time leftist NDP provincial government in August 1972, led by Dave Barrett, a “freeze” was placed on the subdivision or rezoning of farmland (Runka, 2006, p. 2). The Agricultural Land Reserve (ALR) was introduced the following year through the *Land Commission Act* (Garrish, 2002/2003, pp. 36-37; Patterson, 1998, pp. 736-737; Runka, 2006, pp. 1-2; Stobbe, 2008, p. 16).¹ The ALR was intended to protect agricultural land from subdivision and non-farm uses through zoning by the Land Commission (Harcourt et al., 2007, p. 61; McDougall et al., 2017, p. 18; Stobbe, 2008, p. 16). Under the Act, a single, five-member Land Commission with regional representation from across British Columbia would be created by the Province and given the responsibility of interpreting, applying and enforcing the *Land Commission Act*

¹ Bill Lane, a lawyer who “had become the City of Richmond’s chief counsel,” drafted the *Land Commission Act* (Harcourt et al., 2007, p. 67).

(Agricultural Land Commission, 2019c, p. 9; Green, 2006, p. 4; Patterson, 1998, pp. 736-737; Stobbe, 2008, p. 16).

The passage of this Act was opposed by the B.C. Social Credit Party, recognized as the Official Opposition at the time. Frank Richter, the former Minister of Agriculture and Minister of Mines under this Party, sent Prime Minister Pierre Trudeau a telegram, “urging him to intervene” on the stated grounds that the Act was a “total contradiction of the Canadian Bill of Rights and the British North America Act” (Harcourt et al., 2007, p. 61). This legislation was further referred to by Social Credit party leader, and former Premier W.A.C Bennett, as a “Communist threat” (Harcourt et al., 2007, p. 61). Some farmers also protested the perceived “removal of their right to make profits from the sale of prime farmland for development purposes” (Runka, 2006, p. 3). Despite this opposition, support for the legalisation from the general public and from prominent individuals supported the Act’s passage (Harcourt et al., 2007, pp. 62-64). For example, Thomas G. Norris, a former B.C Conservative Party leader, and former “counsel for British Columbia Fruit Growers Association and Marketing Organization in the Okanagan,” was one such supporter (Harcourt et al., 2007, pp. 62-64). Thus, despite being proposed by the NDP, this legislation was not simply a reflection of leftist policies and politics as individuals from opposing party affiliations did support the creation of this Reserve. Although some opposition to the Reserve and questions related to its value, in protecting agricultural land from non-farm uses, continues to this day.

Gary Runka, the first General Manager and later Chair of the Commission until 1979, has argued that the creation of the ALR was “intended to be a permanent shift away from the view that ‘farmland is urban land in waiting’ and towards the view that ‘farmland is food production land for present and future generations’” (Runka, 2006, p. 3). Charles Campbell in his Agricultural Land Reserve report (2006) for the David Suzuki Foundation (Campbell, 2006), a Canadian non-governmental organization, has presented the ALR as a “visionary land use policy” that is an “enormous asset” in planning for “Canada’s future” given concerns surrounding climate change, food security and increasing transportation costs (Campbell, 2006, p. 3).² For Campbell, therefore, the

² The David Suzuki Foundation is a non-profit organization, headquartered in Vancouver. It was founded in 1990 to “conserve and protect the natural environment and help create a sustainable Canada” through “evidence-based research, education and policy analysis” (David Suzuki Foundation, n.d.).

question becomes how to “ensure perceived short-term needs do not erode the long-term vision” of this policy over time (Campbell, 2006, p. 1). The value that both these authors place in protecting an agricultural land base from urban uses lies primarily in the current and future food production capacity of this land.

Still others like Kevin Hanna, the director of the University of British Columbia’s Centre For Environmental Assessment Research, view the ALR as a “landscape preservation tool” intended to control urban growth and maintain the aesthetic qualities of open and green space (Hanna & Noble, 2010, pp. 292-293, 302-303). Similarly, Barry E. Smith, a planner with the Commission, has argued that the ALR has “shaped growth patterns over the last 30 years by acting as a defacto urban growth boundary” (Smith, 2012, “Introduction”). In doing so, the ALR has “contributed to the development of more compact and efficient urban communities and provided an opportunity to address land use conflicts by ensuring a stable urban/agricultural ‘edge’” (Smith, 2012, “Introduction”). Like Hanna and Smith, Christopher Garrish, planner at the Regional District of Okanagan-Similkameen, argues that the ALR’s value seems to lie more in conserving “the remaining open spaces in the heavily urbanized Lower Mainland area” rather than “its ability to encourage agriculture” (Garrish, 2002/2003, p. 27). Garrish also argues that there seems to be a “rural-urban divide” in place regarding the Reserve’s perceived value with urbanites in the Lower Mainland generally viewing the ALR “as a sacrosanct and inviolable piece of environmental legislation” while many farmers have been less supportive (Garrish, 2002/2003, pp. 27, 39).

Diane Katz, the director of Risk, Environment and Energy Policy at the Fraser Institute, a right wing Canadian think-tank, takes Garrish’s argument further and writes that the ALR has not prevented the loss of farms or farmers in the region and that the ALR is in fact not “necessary” to “ensure a ‘local’ food supply” given that most B.C. consumers purchase imported food (Katz, 2009, p. 3). Instead, Katz argues that the ALR serves the “special interest groups who favour hay fields over houses” (Katz, 2009, pp. 5, 7).³ She also discusses several direct and indirect “costs” associated with the creation of the ALR, which she argues is an example of “the government’s excessive interference in the agricultural sector” (Katz, 2009, pp. 3, 7). Examples of these “costs” include

³ The Fraser Institute is a right wing “research and educational organization” headquartered in Vancouver, which according to the University of Pennsylvania’s 2018 Global Go To Think Tank Index is the is the top-ranked Canadian “think-tank” (Fraser Institute, n.d.).

increasing urban house prices due to the “scarcity of land for development” and lost “economic freedom” for farmland owners, resulting from the creation of the ALR (Katz, 2009, p. 3).

While these authors have varying opinions and critiques of the ALR, they do agree that this Reserve was created in response to concerns about protecting an agricultural land base from development and urban growth (Campbell, 2006, pp. 1,3; Garrish, 2002/2003, p. 36; Hanna, 1997, pp. 167-168; Hanna & Noble, 2010, p. 294; Katz, 2009, p. 9; Smith, 2012, “Influences, Concerns and Motivations”). Moreover, while there is disagreement amongst the authors cited regarding the precise value of the ALR, most of these scholars do agree that the preservation of agricultural land has significance in planning for the region’s future (Campbell, 2006; Hanna & Noble, 2010; Runka, 2006; Smith, 2012).

1.2. The ALR’s Success in Protecting Agricultural Land from Non-Farm Uses in a Multi-jurisdictional Context

Despite the creation of the ALR, it is still possible to exclude land from the Reserve for non-farm purposes (Campbell, 2006, p. 11).⁴ Some notable examples include the 1981 Spetifore Lands exclusion in the City of Delta (Garrish, 2002/2003, p. 46; Jackson & Holden, 2013, p. 4849; Oberlander & Smith, 1993, p. 363; Stobbe 2008, p. 18) and the 1987 Terra Nova lands exclusion in the neighboring City of Richmond (Campbell, 2006, p. 14; Newman et al., 2015, p. 106). The Agricultural Land Commission (ALC), known formally as the Land Commission, ruled against these applications, but they were permitted by the politically right leaning provincial Social Credit Cabinet (1975-1991) (Campbell, 2006, p. 14; Hodge and Robinson, 2001, p. 338; Newman et al., 2015, p. 106; Oberlander & Smith, 1993, p. 363; Stobbe, 2008, p. 18). However, the return of the NDP government to power between 1991 and 2001 did not stop exclusions from occurring. For instance, in the case of the 1997-1998 Six-Mile Ranch exclusion outside Kamloops, the Glen Clark led NDP government overruled the Commission’s decision against an exclusion application (Garrish, 2002/2003, p. 25). The

⁴ In B.C., the total land area in the ALR has declined from approximately 4,717,519 ha at its creation to 4,612,965 as of March 31, 2019 (Agricultural Land Commission, 2019c, pp. 12-17, 57-58). From 2013 to 2018 alone 2,878 ha was included, and 10,813 ha was excluded for a net decline of 7,935 ha (Agricultural Land Commission, 2019c, p. 23).

rise of the centrist Liberal Party, who formed provincial government from 2001 to 2017 also saw a continuation of such exclusions. On April 8, 2015, for example, the Liberal provincial government removed 3,715 hectares of land from the ALR for construction of the Site C dam in the Peace River Valley (Gillis, 2015, para. 1). This removal of ALR land, without ALC approval, represents the single largest ALR exclusion to date (Gillis, 2015, para. 2, 10). The Horgan led NDP government when they came into power in 2017, “reluctantly approved the continuation of the multi-billion-dollar project” using the “effect on energy prices if the project was cancelled” to justify their decision (Kurjata, 2017, para. 1, 9). These examples indicate that governments of various political stripes have at times been willing to support the non-agricultural development of ALR land through exclusions when it suited their interests.

While non-agricultural uses of land within the ALR’s boundaries also still occur, relatively few scholars have analyzed the extent of this phenomenon.⁵ In other words, land does not have to be excluded from the ALR for agricultural land to be lost to non-agricultural development. Permissive and inconsistent policies between, across and within scales of government also allow for the non-farm use of land within the ALR. This study addresses this gap in the literature by examining both the exclusion of ALR land for non-agricultural development and the non-agricultural development of lands still within the Reserve, in a multi-jurisdictional context where interests between government scales sometimes compete and conflict. In such a multi-jurisdictional context, the success of the ALR in protecting an agricultural land base has at times been undermined by a turn-over in political parties in power at the federal, provincial and municipal scales (Patterson, 1998, p. 731). Such change has resulted in the convergence and divergence of priorities and the subsequent political will to regulate non-farm uses of ALR land. The multi-jurisdictional nature of the ALR has also allowed for the passing of regulatory responsibility between various scales of government. Furthermore, in this context the regional government lacks “the authority to enforce policies on member municipalities” (McDougall et al., 2017, p. 39). The Province and Federal government also share legislative authority over agricultural matters and consequently have precedence over regional and municipal policies (Government of Canada, 2018, “Concurrent/Shared Powers”). The Metro Vancouver Regional District (MVRD), formally the GVRD, has

⁵ See Chapter 6 for a more detailed discussion of ALR exclusions and the non-agricultural use of land within the ALR

therefore been unable to overrule decisions by the Port with federal authority and the ALC, a provincial entity. Figure 1.1 illustrates this complex, multi-jurisdictional authority related to ALR lands where the role of regional planning represents the weakest link in the jurisdictional chain. Moreover, while some lease-hold farmers and the general public have opposed non-agricultural uses of ALR lands, developers and some farmland owners have supported such uses (City of Richmond, 2017e, p. 3; City of Richmond, 2018b, pp. 4-5).⁶ In other words, the ALR involves “competing jurisdictions, politics and influential private interests,” which “can undermine agricultural land use planning policies” (Jackson & Holden, 2013, pp. 4850, 4864). The ability to pass regulatory responsibility between government scales, the sometimes diverging priority placed on farmland protection between and across federal, provincial, regional and municipal scales of government, and the varying influence of interest groups on these governments, have resulted in inconsistent policies to limit the non-farm use of ALR lands. Such inconsistency has allowed for the continued exclusion of lands from the ALR as well as the non-agricultural use of lands within the Reserve.

1.3. Research Problem and Question

In the context of the ALR, the involvement of multiple levels of government with sometimes conflicting priorities and interests, as well as conflicting and competing private and public interests, has resulted in inconsistent policies between federal, provincial, regional and municipal scales of governments, between municipalities and between agricultural and urban areas within municipalities. This, in turn, has allowed for the continued non-agricultural development of ALR lands. The problem addressed by this study can therefore be summarized as: *In a Multi-Level Governance (MLG) context of the ALR, there has been a lack of cooperation and coordination in the creation of policies to protect agricultural land from non-farm uses, vertically between different scales of government, horizontally between municipalities and internally within cities, which has allowed for ALR exclusions and ALR lands to be used for non-agricultural purposes.*

This study, ultimately, seeks to understand the extent and distribution of such non-agricultural uses of ALR land in the City of Richmond, and the ways in which

⁶ For further details see chapter 4 and 5.

federal, provincial, regional and municipal conflicts and policies, or lack thereof, have impacted ALR exclusions and other non-agricultural uses. Such non-farm uses of ALR land include industrial, retail, recreational and residential.⁷ Yet, given the limitations in terms of scope, residential and accessory residential uses were the analytical focus of this study.⁸

Ultimately, the question that guides this research is:

What is the extent and distribution of non-agricultural residential development on Agricultural Land Reserve lands in the City of Richmond and how have federal, provincial, regional and municipal conflicts and policies, or the lack thereof, impacted such development?

The following sub questions are also addressed:

1. What key federal, provincial, regional and municipal policies have changed since the creation of the ALR? How and why have these key policies changed?
2. What are the challenges of protecting ALR lands in Richmond from non-agricultural development at federal, provincial, regional and municipal scales of government?
3. What steps have the Federal government, Province, GVRD/MVRD and City of Richmond taken and can still take to address these challenges of protecting ALR land?

⁷ If interested in industrial lands in Metro Vancouver and the role of the Port, see Hall, P. (2014). Port-city governance: Vancouver Case Study. In Port-city governance (pp. 209-223). Le Havre: Fondation Sefacil.

⁸ It would be beyond the scope of this Master's thesis, in terms of time and resources, to examine all the different types of non-agricultural development of ALR lands.



Figure 1.1 Multi-Jurisdictional Authority Related to ALR Lands in B.C.

Note. Data from the Government of Canada (2012, 2018), Agriculture and Agri-Food Canada (2016, 2019), the BC Ministry of Agriculture (2018), the Agricultural Land Commission (2018-2019), Metro Vancouver (2016-2018) and the City of Richmond (2017-2019).

1.4. The Significance of a City of Richmond Case Study

Despite the intentions behind the creation of an agricultural land reserve, farmland continues to be seen to some degree as “urban land in waiting” by many developers, farmland owners and in some cases by various levels of government. The pressure to convert ALR land to non-farm uses has been particularly high in British Columbia’s Metro Vancouver Regional District. This region comprises approximately 6,100 ha of the Province’s total 4,612,965 ha of ALR lands, or 1.3% as shown in Figure 1.2 and Table 1.1 (Agricultural Land Commission, 2019a; Agricultural Land Commission, 2019b). These ALR lands are amongst the most fertile in the Province due to their climatic and soil conditions (Petter, 1985, p. 5). Yet, Metro Vancouver accounts for the second highest ALR exclusion application total, at 604, second only to the Central Okanagan Regional District at 721 (Agricultural Land Commission, 2019a; Agricultural Land Commission, 2019b). Almost a quarter, or 24%, of all farms lost in British Columbia from 1996 to 2016 were also from the region (Metro Vancouver, n.d.).⁹ However, pressures to convert ALR land to urban uses are not evenly distributed amongst Metro Vancouver’s member municipalities. As indicated by Table 1.1, Pitt Meadows, Langley Township, Delta, Surrey and Richmond, account for 88.9% of all regional ALR land (Agricultural Land Commission, 2019b; City of Richmond, 2017c, p. 3; Geosuite, 2016). ALR land also compromises a significant share of these municipalities’ total land base. For example, the City of Richmond has approximately 40% of its total area in the ALR, the fourth highest share in the Metro Vancouver region (Agricultural Land Commission, 2019b; City of Richmond, 2017c, p. 3; Geosuite, 2016).¹⁰

The City of Richmond is also in close geographic proximity to the airport and the City of Vancouver when compared to other municipalities with a proportionally high share of ALR land as seen in Figure 1.3. Many of Richmond’s ALR lots are also nearer to the City Centre, transit, and community amenities than other urban residential areas of the City like some parts of the Thompson, Seafair, Blundell, Broadmoor and Shellmont neighborhoods (City of Richmond, 2017e, p. 6-7). These locational and service advantages of ALR parcels in the City of Richmond, which are closer to

⁹ 2016 represents the most recent year the Census of Agriculture was conducted

¹⁰ Roads, rights-of-way, foreshore, and small parcels are included in these area calculations

Vancouver, the airport and/or have higher transit connectivity, have made farmland appealing for non-agricultural uses.

The City of Richmond's relatively permissive regulation on the residential and accessory residential development of ALR lands has also resulted in a greater appeal of ALR parcels for non-agricultural development. For example, in the City of Delta the farmhouse size limit is 3,552 ft² for lots smaller than 8 ha (City of Richmond, 2017c, p. 13). In contrast, prior to 2017 the City of Richmond had a 0.6 floor area ratio in place where potentially 60% of a lot could be covered by a residence (City of Richmond, 2017c, p. 13). Similarly, variation exists between municipalities in terms of farm home plates (City of Richmond, 2017c, p. 13). For instance, Surrey implemented the ALC recommended 2000 m² limit, Delta implemented a 3,600 m² limit and Richmond had no farm home plate limit in place before 2017 (City of Richmond, 2017c, p. 13).¹¹ These inconsistent policies, or lack thereof, resulted in the "leapfrogging" of residential building permits to municipalities, such as Richmond, with fewer restrictions (City of Richmond, 2017a, pp. 3-4).¹²

¹¹ Farm home plate here refers to "the portion of the lot including the principal dwelling unit, any residential accessory buildings or residential accessory structure including the driveway, decorative lawns and landscaping, artificial ponds and sewerage septic tanks, in on contiguous area" but does not include the septic field (City of Richmond, 2018a, p. 6).

¹² Floor area ratio is defined by the City of Richmond as "the numerical value of the floor area of the building or structure relative to the site upon which it is located divided by the area of the site" (City of Richmond, 2017c, p. 6)

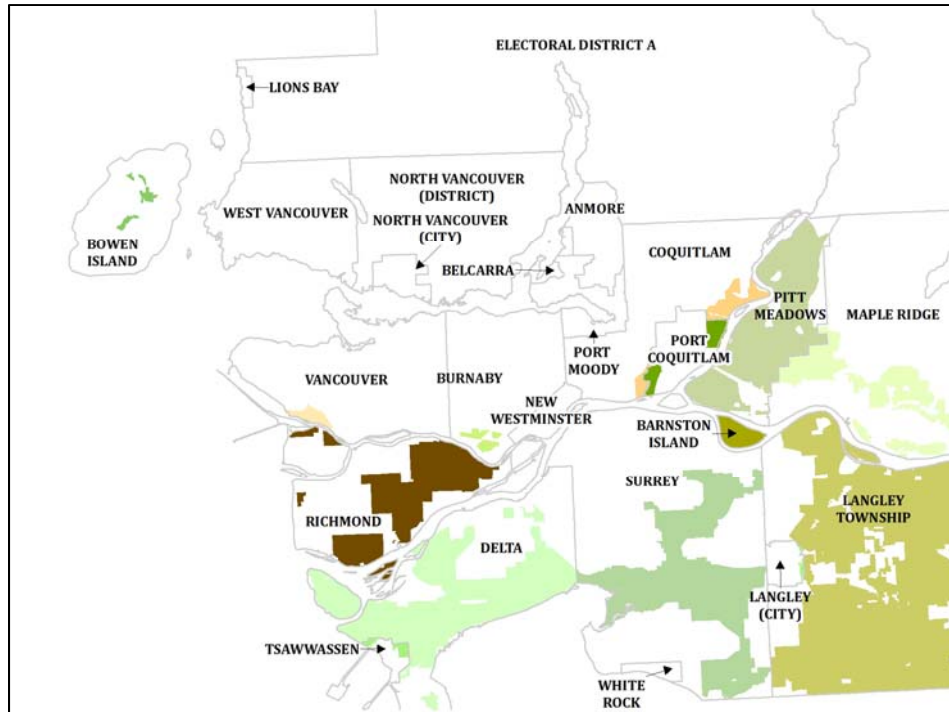


Figure 1.2 ALR Land in Metro Vancouver 2016

Note. Data for municipal boundaries from Metro Vancouver (2017a), and for the ALR from the Agricultural Land Commission (2019b)

Table 1.1 ALR Area in Metro Vancouver by Municipality 2016

Municipality	Total Land Area (ha)	Land in ALR (ha)	% Land in ALR	Regional Share of ALR
Pitt Meadows	8,651	6,853	79%	11.2%
Langley Township	30,803	23,417	76%	38.4%
Delta	18,020	9,531	53%	15.6%
Richmond	12,927	5,180	40%	8.5%
Surrey	31,641	9,282	29%	15.2%
Tsawwassen First Nation	658	167	25%	0.3%
Port Coquitlam	2,917	600	21%	1.0%
Maple Ridge	26,678	3,778	14%	6.2%
Coquitlam	12,230	823	7%	1.3%
Bowen Island	5,014	181	4%	0.3%
Langley City	1,022	42	4%	0.1%
Burnaby	9,061	235	3%	0.4%
Greater Vancouver A	81,628	618	1%	1.0%
Vancouver	11,497	297	3%	0.5%
Anmore	2,755	nil	-	-
Belcarra	550	nil	-	-
Lions Bay	253	nil	-	-
New Westminster	1,563	nil	-	-
North Vancouver City	1,185	nil	-	-
North Vancouver District	16,076	nil	-	-
Port Moody	2,589	nil	-	-
West Vancouver	8,726	nil	-	-
White Rock	512	nil	-	-
Metro Vancouver Total	287,125	61,004	21%	100%
B.C. Total	92,250,301	4,612,965	5%	

Note. Data used to calculate the total municipal land areas are from Geosuite (2016), and for ALR areas are from the Agricultural Land Commission (2019b)

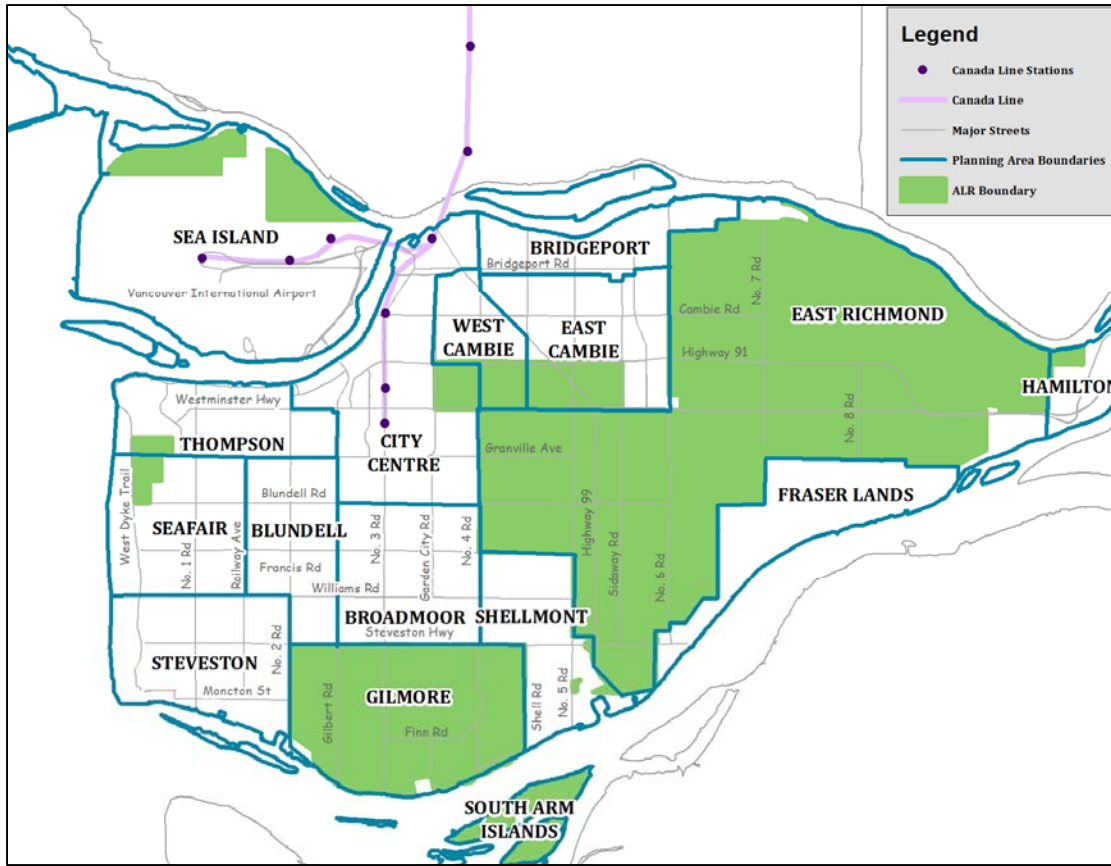


Figure 1.3 City of Richmond Planning Areas and Canada Line Stations

Note. Data for municipal boundaries are from Metro Vancouver (2017a), and for the ALR from the Agricultural Land Commission (2019b). The planning area boundaries are adapted from the City of Richmond Official Community Plan (2009) and the Canada Line information is adapted from TransLink (n.d).

Metro Vancouver recognized the difficulties that member municipalities, such as Richmond, faced in creating regulation to limit residential development of the ALR (Metro Vancouver, 2018d, p. 5). As a result, in 2010 and 2011 the Metro Vancouver Board requested that the Gordon Campbell-led Liberal provincial government provide enforceable regulation in terms of farmhouse sizes, siting and footprints (Metro Vancouver, 2018d, p. 5).¹³ The province failed to do so at the time, with the B.C. Ministry of Agriculture instead providing voluntary guidelines (Metro Vancouver, 2018d, p. 5). These guidelines recommended that cities establish 500 m² farmhouse size limit or a floor area comparable to urban areas within the city, whichever was less (City of

¹³ A “house footprint” is the “maximum amount of land that the main floor of the house can occupy” (City of Richmond, 2018a, p. 9). In contrast the house floor area includes “all storeys within a house” and would “generally always be greater than the house footprint” unless the house is only one storey (City of Richmond, 2018a, p. 9)

Richmond, 2017a, pp. 3-4). These provincial guidelines proved ineffective given their lack of adoption by municipalities, which continued to face challenges in creating regulation limiting the non-agricultural development of ALR land.¹⁴ For example, in 2016 the City of Richmond received an application to build a 41,000 square foot home on the ALR, which was refused (City of Richmond, 2017a, pp. 3-4; City of Richmond, 2017c, p. 13; Tomlinson, 2016; Wood, 2019). This application prompted the City of Richmond, on December 1, 2016, to also request a province-wide regulatory, farmhouse size limit but was similarly denied (City of Richmond, 2017a, pp. 3-4).

As a result, in January 2017, the City of Richmond began looking at options to amend its own bylaws to reduce the maximum allowable farmhouse and farm home plate sizes (City of Richmond, 2017e, p. 3). On April 4, 2017, the City of Richmond enacted a 500 m² farmhouse size limit for lots smaller than 0.2 ha and a 1,000 m² limit for lots 0.2 ha or larger (City of Richmond, 2018a, pp. 6-7). A farm home plate limit between 1,000 m² to 2,000 m² was also created (City of Richmond, 2018a, pp. 6-7). However, these new house size limits continued to be larger than those allowed in urban areas of the City. For example, a 4,187 ft² average house size, including a garage, is permitted in Richmond's RSI/E zone, which is the City's "standard large lot singly family zoning district" (City of Richmond, 2017e, p. 7). The defeat of the Christy Clark Liberal government, who had succeeded Gordon Campbell in 2011, and the election of the John Horgan's NDP also led to significant provincial policy changes at this time. For example, in 2018 the Foreign Home Buyers Tax was increased, and the Speculation Tax was introduced to curb speculation in the urban housing market, but farmland without a residence are exempt from these taxation policies (Chan, 2018a; Weaver 2018). Such continued policy inconsistency between municipalities and between urban and agricultural areas within the City of Richmond, maintained the appeal of ALR lots for residential and accessory residential development.

Non-agricultural development that occurred on ALR lands during this period is, therefore, considered in this study to be at least partially affected by municipal, regional and provincial government policy and policy changes, or lack thereof, occurring in an inconsistent fashion between the provincial, regional and municipal governments,

¹⁴ For a more detailed discussion of the challenges of implementing and changing policy to protect agricultural land from non-farm uses see chapter 5.

between municipalities and between urban and agricultural zones within the City of Richmond. Such inconsistencies and uncertainty regarding further policy changes have, ultimately, allowed for increased non-farm development ALR lands in Richmond. One such form of non-farm development, the construction of large dwellings with often accompanying accessory residential uses, such as pools and tennis courts has particularly garnered media attention. There has also been push-back from the general public and farmland protection activist groups, like Richmond FarmWatch, which created a campaign to address this trend in 2017 (FarmWatch Member, personal communication, 2019). Figures 1.4 and 1.5 show examples of such dwellings (Tomlinson, 2016; Wood, 2019).

While public protest precipitated further policy changes in 2018 and 2019 at both the provincial and municipal scales to halt the escalation of this pattern of massive single-family dwellings occupying farmland, the problem with faulty policy coordination continues to exist and will plague the resolution of this mismatch of powers, priorities, and public and private interests. As a result, this study argues for the need to further coordinate policies between various scales of government, between municipalities and between urban and agricultural areas within a city, so that they are more in line with one another.

The City of Richmond is a relatively unique case in terms of its proportionally high share of ALR land as well as the service and locational advantages of its ALR parcels. These advantages have resulted in greater pressures to convert ALR lands to non-farm uses when compared to many other Lower Mainland municipalities. The significant amount of municipal policy change related to residential development of ALR lands in recent years in addition to a history of successful activism to protect an agricultural land base also makes the Richmond case unique. Yet, this study may be of interest to other municipal governments who also have a proportionately high share of ALR land and are facing non-agricultural development pressures, albeit to a lesser degree. It may also be of interest to those wishing to learn about the multi-jurisdictional character of the ALR and its impacts on the federal, provincial, regional and municipal goals of protecting agricultural land, as stated in legislation, policies and planning documents. This analysis can, therefore, be used by governments to better understand a current land use planning challenge and will provide a way forward to better protect farmland.



Figure 1.4 A Large Residential Dwelling with Associated Accessory Uses on ALR Lands in the City of Richmond

Source: By Gyarmati, 2018, <https://www.richmond-news.com/real-estate/delta-solution-to-farm-mansions-should-be-followed-says-steves-1.23263025>. Copyright 2018 by Richmond News. Reprinted with permission.



Figure 1.5 A 2,050 m² ALR Dwelling Under Construction in 2017, South of Steveston Highway

Source: By Wood, 2019, <https://www.richmond-news.com/belcarra-couple-and-corporation-sue-city-of-richmond-over-farmland-mega-mansion-row-1.23768167>. Copyright 2019 by Richmond News. Reprinted with permission.

Chapter 2.

Literature Review

The following literature review establishes the conceptual underpinnings of this study, using four primary literatures to provide a framework for understanding and analyzing non-agricultural development of ALR land in Richmond, B.C. First, this review explores the development of the “Cities in a Sea of Green Vision” as a regional response to urban sprawl onto agricultural lands (McDougall et al., 2017, p. 6). Current concerns regarding the continued viability of this “Vision” in light of conflicting interests, intergovernmental tension and a lack of intergovernmental cooperation are also outlined. Then, the impacts of multi-level governance (MLG) on such cooperation and coordination between scales of government and between governments of the same scale is discussed. B.C.’s ALR is placed within this MLG framework and policy creation in this context is explored. Subsequently, the concept of a “peri-urban” is defined and the City of Richmond is presented as such a “contested ground” where a lack of policy coordination is particularly evident (Bourne et al., 2003, p. 266; Newman et al., 2013, p. 101; Scott et al., 2013, pp. 12, 36). Finally, previous studies addressing policy coordination and cooperation in the context of the ALR are noted. The gaps in such literature are identified and the ways in which this study addresses these limitations are discussed.

2.1. Regional Planning and the “*Cities in a Sea of Green Vision*” Seeking to Protect an Agricultural Land Base from Non-Agricultural Development

2.1.1. *The Impacts of Inter-governmental Relations on The Development of the Regional “Vision”*

In Metro Vancouver a “Cities in a Sea of Green Vision,” where land use planning is used to create “a series of cities in a sea of green...a valley of separate cities surrounded by productive countryside,” has guided regional planning efforts since before the 1960s (LMRPB, 1963, p. 6; McDougall et al., 2017, p. 6). Urban sprawl is seen as a problem that can be addressed through regional plans that focus on encouraging compact urban development. In this context, the compact city “includes a clear

distinction between the city and the countryside in physical appearance and land use functions: the countryside is ‘counterbalance’ for the city” (Westerink et al, 2013, p. 475). This regional “Vision,” therefore, constituted a visible land use divide between the rural and the urban, with compact growth seen as a way of countering urban sprawl and maintaining this distinction.

After more than a decade of regional work, in 1963 the Lower Mainland Regional Planning Board (LMRPB) published *Chance and Challenge*, introducing this “Cities in a Sea of Green Vision” and later developed the first “official statutory [regional] plan” in 1966 reflecting this “Vision” (LMRPB, 1963, p. 6; McDougall et al., pp. 6, 10, 14). The LMRPB’s “success led to friction, jealousy in local bureaucracies, and conflict with the provincial government” as it “began to threaten” provincial and municipal authority (Oberlander & Smith, 1993, pp. 358-359). Critiques of provincial land use decisions in opposition to the regional plan, by LMRPB members, also contributed to this intergovernmental discord (Oberlander & Smith, 1993, pp. 358-359).

The LMRPB was eventually disbanded in 1969 and four regional districts, including the Greater Vancouver Regional District (GVRD), were created in its place (Taylor & Burchfield, 2010, p. 65). Dan Campbell, the Minister of Municipal Affairs, stated that “regional districts are not conceived as a fourth level of government, but as a functional rather than a political amalgamation” (British Columbia, Department of Municipal Affairs, 1972 as quoted in Oberlander & Smith, 1993, pp. 334-335). Yet, despite the Province’s intention, for Oberlander & Smith the Greater Vancouver Regional District “operated visibly like a level of government,” working with municipalities and the Land Commission, established in 1973, to release the 1975 *Liveable Region Plan* (LRP) (Oberlander & Smith, 1993, pp. 334-335, 364). Amongst the goals of the LRP was the preservation of farmland as well as the creation of “regional town centres” within which urban growth was to be concentrated (Harcourt et al., 2007, p. 89; Oberlander & Smith, 1993, p. 364).

However, in 1983 the Province removed the “planning authority” of regional districts through the *Municipal Amendment Act* with the then Minister of Municipal Affairs, Bill Ritchie, arguing that “official community plans have become an unnecessary level of land-use control” (Ritchie, 1980 as quoted in Oberlander & Smith, 1993, p. 363). The GVRD saw this provincial action as “retribution” for the District’s opposition to the

Spetifore Lands exclusion from the Agricultural Land Reserve, which the Cabinet had supported (Harcourt et al., 2007, pp. 70–72; Hodge and Robinson, 2001, pp. 337-338; Kirstein, 1980 as quoted in Oberlander & Smith, 1993, p. 363; Tomalty, 2002, p. 434). Given this removal of regional land use “planning authority,” Oberlander & Smith argued that “metropolitan governance has emerged in place of metropolitan government in the Vancouver region: that is, metropolitanwide services and their spatial implications are managed regionally in the absence of metropolitan government” (Oberlander & Smith, 1993, pp. 333, 367). Despite a lack of “formal planning authority,” the GVRD continued to achieve “policy consensus” on issues, which included the protection of agricultural land (Oberlander & Smith, 1993, p. 365). For example, in 1990 the GVRD published *Creating Our Future*, calling for “an appropriate and accessible ‘green mix’” (Oberlander & Smith, 1993, p. 365). Scholar Richard Feiock has also noted how local governments, “through a web of voluntary agreements and associations and collective choices by citizens” can achieve “cooperation” between municipalities, different government scales and between municipalities and non-governmental actors, despite intermunicipal competition (Feiock, 2004, p. 6). In other words, in a regional context, “institutional collective action” can occur “among decentralized governmental units” in the absence of a formal regional government (Feiock, 2004, pp. 4, 6).

Some years later, under the NDP provincial government, the 1995 *Growth Strategies Statutes Amendments Act* saw the return of regional planning authority to the GVRD, now referred to as the Metro Vancouver Regional District (MVRD) (McDougall et al., 2017, pp. 14-15). A “planning system based on ‘horizontal’ rather than ‘vertical’ relationships between the regional district and its member municipalities” was established whereby “municipalities buy into a region plan and are then required to reflect the plan in their own planning documents (called Regional Context Statements)” (Tomalty, 2002, p. 434). In this “non-hierarchical” regional planning model, characterized by “voluntary cooperation between regions and municipalities,” if a deadlock occurs between the District and municipalities, the Province acts as mediator (McDougall, 2017, p. 15; Tomalty, 2002, p. 434). With the “return of regional planning authority,” the GVRD published the *Liveable Region Strategic Plan* (LRSP) in 1996, which established the Green Zone “to protect approximately two thirds of the region’s land base from urban development, including those lands within the ALR” (Jackson & Holden, 2013, p. 4849; McDougall et al., 2017, pp. 14-15). Subsequently, in 2011 *Metro 2040: Shaping our*

Future, an Urban Containment Boundary was created within which urban development is to be concentrated, preventing urban sprawl onto agricultural lands (McDougall et al., 2017, pp. 16, 21). These plans indicate that the “Vision” of protecting agricultural land from urban uses continues to be a guiding principle in regional planning to this day.

The following review illustrates the entrenchment of the policy goal of protecting a regional agricultural land base from non-agricultural purposes in British Columbia throughout the past decades. Interestingly however, this policy goal has had varying impacts on municipalities with greater development potential of agricultural lands and those with a proportionally smaller share of lands suitable for farming. The involvement of multiple scales of government has also shaped the implementation of this “Vision” and its different spatial impacts across cities. This study uses the City of Richmond, a municipality with a significant amount of agricultural lands, to examine how inconsistent and sometime contradictory federal, provincial, regional and municipal policies, or lack thereof, have shaped the success of the ALR in implementing this “Vision” on the ground. In addition to the tools created by the regional government through successive regional plans, the ALR is a land use planning tool that has and continues to be used to support the regional “Vision.” It is the success of this specific land use planning tool, in helping to achieve the regional “Vision,” that is the focus of this study. However, first a discussion of the challenges of implementing this “Vision” within a multi-jurisdictional context are outlined.

2.1.2. The Challenges of Implementing the Regional “Vision” within a Multi-jurisdictional Context

Brian Walisser and Gary Paget, former employees of the Province’s Local Government Department, as well as Michelle Dann a current employee of the B.C. Ministry of Community, Sport and Cultural Development, have critiqued regional districts in B.C. They argue that while the region is “successful” in delivering services, “when matters are controversial or costly, or when the impacts of decisions have important differential effects on localities, interests or people – thus creating ‘winners’ and ‘losers’ – problems can turn ‘wicked’ and become resistant to resolution” (Walisser et al., 2013, pp. 154, 165). In regional planning “decision-makers struggle when the incentive of mutual benefit cannot overcome the barrier of legitimate differences in interests” (Walisser et al., 2013, p. 154). This often results in representatives “defending” local

interests over regional ones, especially given that “regional decisions are often unrewarding or politically punishing to the officials who make them” (Walisser et al., 2013, pp. 154, 160). Regional planning is, therefore, less effective in dealing with certain “wicked” policy problems. This has proved problematic for the implementation of the regional “Vision” given that the protection of agricultural land from non-farm uses impacts different suburban and urban municipalities, their residents, and the public and private interests of these residents in sometimes conflicting ways.

University of Toronto Professor Zack Taylor and Marcy Burchfield, the former Executive Director of the Neptis Foundation, a charitable organization that conducts “non-partisan” research related to “regional urban growth and management” in Canada, have also examined the challenges of regional planning in B.C. (Neptis Foundation, n.d., “About Neptis”). For these authors, regional differences are particularly evident between “superburbs,” or “large suburban municipalities,” and the City of Vancouver, who compete for economic development and in so doing undermine regional collaboration (Taylor & Burchfield, 2010, pp. 82-83). Similarly, Katelyn McDougall, the current Manager of Planning at City of Port Alberni, along with academics Linda Mussell and Sherry Yang, have argued that diverging interests exist within a regional planning context between municipalities with “greater physical growth potential in greenfield areas and those already urbanized” (McDougall et al., 2017, pp. 38-39). However, as this study shows variation also exists amongst municipalities with “greater physical growth potential” as some of these municipalities have displayed a greater willingness to regulate and control non-agricultural development on farmland. A dichotomy between suburban and urban interests is, therefore, too simplistic of a generalization in the Metro Vancouver context as variation also exists between the suburbs.

Taylor & Burchfield have also stated that, in a Metro Vancouver context, it is difficult to achieve consensus and enforce compliance of policies due to the large number of municipalities involved (Taylor & Burchfield, 2010, p. 82). However, according to Taylor & Burchfield, “municipalities have come around in the end” largely due to “leadership” and “trust” (Taylor & Burchfield, 2010, p. 86-87). Walisser et al., also recognize that solutions to address such intermunicipal conflict requires “leadership” but further note the need for “horizontal and vertical co-ordination,” in terms of policy, between and across government scales (Walisser et al., 2013, pp. 158-160). They recognize that “central government leadership via imposed mandates can be beneficial,”

in encouraging such “co-ordination” but that these “mandates are viewed positively only where the matter is of genuine strategic importance, is accompanied by provisions addressing resource impacts, and leaves regions with some flexibility to manage implementation” (Walisser et al., 2013, p. 162). Moreover, these authors argue that “wicked” policy “problems” “will stubbornly remain if any central, regional or local government relies exclusively on hard-power mechanisms to force desired outcomes” (Walisser et al., 2013, p. 165).

The consequences of central government intervention into municipal decision making are also discussed by University of Victoria professor Emmanuel Brunet-Jailly and Eve Arcand, Transport and Mobility Research Officer with the City of Montreal. They argue that interference by higher order governments into municipal affairs has led to increased municipal “distrust” of the B.C. provincial government in the past fifteen years (Brunet-Jailly & Arcand, 2016, p. 240). This “distrust” has in turn “undermined local pan-regional attempts of coordination and collaboration” in B.C. (Brunet-Jailly & Arcand, 2016, p. 240). While Brunet-Jailly and Arcand make these arguments in the context of transportation planning (Brunet-Jailly & Arcand, 2016, p. 240), this characterization of intergovernmental relationships in B.C is also applicable to land use planning debates.

For example, McDougall et al., through a B.C. case study, show how the continued “hierarchical relationship” between municipalities and the Province and provincial intervention into local land use decision-making has contributed to a “lack of cooperation and coordination” in regional land use planning (McDougall et al., 2017, p. 42). They argue that the “working relationship” between the Province, region and municipalities throughout the years, in implementing this regional planning “Vision” has seen “periods of collaboration and progressive policy and those of discord” (McDougall et al., 2017, p. 8). During these periods of “discord” regional plans are “strained by conflicting political and planning ideologies and power differences” (McDougall et al., 2017, p. 8). For instance, despite the Province’s generally “non-interventionist approach to regional land use planning,” in the case of “priority projects,” the Province has often de-prioritized the regional planning “Vision” in favour of higher order provincial economic interests (McDougall et al., 2017, pp. 41-42). It is this “hierarchical imposition of authority” as well as “the BC government’s refusal to engage in dialogue” with other government scales, which is argued to be “one of the greatest challenges to preserving Cities in a Sea of Green” (McDougall et al., 2017, p. 42). As a result, McDougall et. al.

note that while the “Cities in a Sea of Green” planning “Vision” has guided the development of the region over the last few decades, it may be “losing momentum in practice in light of growth challenges and intergovernmental tension” (McDougall et al., 2017, p. 6). Such hierarchy has also led McDougall et al., to question “the continued viability of the underlying philosophy of the Regional Growth Strategy legislation, which is that planning is a collaborative, non-hierarchical process” (McDougall et al., 2017, p. 51). However, this line of questioning assumes the mutual exclusivity of hierarchy and collaboration, which as this study shows is not necessarily the case. While collaboration can be more difficult and complex within a hierarchical context, hierarchy does not always preclude collaboration between and across government scales.

Although, as Walisser et al. have shown, the “lack of co-ordination vertically with central governments, and horizontally among local governments and between sectors” has transformed regional districts into “arenas of contention,” which ultimately impacts the “ability to develop and implement viable plans” (Walisser et al., 2013, pp. 156, 159). Given these undesired consequences of “imposed mandates” by the Province, Walisser et al argue that encouraging intergovernmental cooperation and coordination generally “requires deft, but not domineering, support and engagement from central government,” through the provision of “a vision,” “targets” and “incentives” as well as “creating forums for direct action” (Walisser et al., 2013, p. 162). In such a “soft-power” approach, “a provincial policy framework” is provided that “guides progress while maintaining a voluntary, democratic, facilitative approach” (Walisser et al., 2013, p. 162). However, McDougall et al, note that in Metro Vancouver a regional planning approach, which relies on “moral persuasion” may not be enough to ensure the implementation of the regional “Vision” when interests diverge (McDougall et al., 2017, p. 39).

As argued by McDougall et al., a “soft-power” approach by higher order governments may not necessarily lead to the implementation of the regional “Vision” through local policy, especially given the challenge of conflicting intergovernmental interests. Yet, as has been shown by past scholarship, a “hard-power” approach has oftentimes also contributed to rather than addressed intergovernmental “discord.” Perhaps then, the solution to the regions “wicked” problem of sometimes conflicting politics and policies leading to the continued use of agricultural land for non-farm purposes lies somewhere in the middle. This study, ultimately, uses the case of the ALR, a land use planning tool created to protect regional agricultural land from non-farm

development, to recommend that a combination of both “soft” and “hard” provincial approaches are needed to encourage policy cooperation and coordination between, across and within scales of government. Such cooperation and coordination will allow for the protection of agricultural land in a multi-jurisdictional context when significant development pressures and diverging interests are present. Through such a discussion, this study, therefore, addresses whether land use planning continues to be “collaborative” and “non-hierarchical process” and whether it in fact needs to be for the regional “Vision” to be implemented on the ground. The following section will discuss multi-level governance (MLG) in British Columbia, providing a theoretical framework for understanding development of non-agricultural lands in the context of a multi-jurisdictional ALR, characterized by conflict and hierarchy.

2.2. Multi-Level Governance in British Columbia

2.2.1. Multi-Level Governance and its Impacts on Policy Cooperation and Coordination

Scholar Patrick Smith and current City of Vancouver Mayor Kennedy Stewart, in their discussion of MLG, state that “successful multi-level governance in Canada requires federal, provincial, and municipal governments cooperating” and that such cooperation “means not just municipal governments doing the bidding of more senior governments, but also policy sometimes being directed from the bottom up” (Smith & Stewart, 2009, p. 184). In contrast to a “federalist” model with a federal-provincial focus, this MLG framework “examines the dispersal of power upwards towards supranational organizations, downwards towards regional and local governments and - perhaps most important - across to other state and non-state actors” (Curry, 2018, p. 104; Hooghe & Marks, 2003, p. 233). While the connections to international organizations is outside the scope of this study, the distribution of power and the ability of federal, provincial, regional and municipal scales of government to create policy within a MLG context as well as the influence of non-governmental actors on such policy creation is explored.

Liesbet Hooghe and Gary Marks argue that there are two types of MLG. One is typified by a “limited number of jurisdictional levels” that are “general purpose,” “nonintersecting,” and “durable” (Hooghe & Marks, 2003, p. 237). In this model, the “unit of analysis is the individual government, rather than the individual policy” (Hooghe &

Marks, 2003, p. 237). The other, policy centered approach, involves multiple jurisdictions that are “task-specific, intersecting, and flexible” (Hooghe & Marks, 2003, pp. 238, 240). Both these MLG models seek to address “the coordination dilemma of multi-level governance,” albeit through varying means (Hooghe & Marks, 2003, p. 239). This “dilemma” arises when an increased “number of actors” results in “free riding” and challenges in “punish[ing] defectors” (Hooghe & Marks, 2003, p. 239). While the first model seeks “to *limit the number of autonomous actors* who have to be coordinated by limiting the number of autonomous jurisdictions,” the other seeks “to *limit interaction among actors* by splicing competencies into functionally distinct units” (Hooghe & Marks, 2003, p. 239).

Scholar Dion Curry builds on Hooghe & Marks model of MLG by arguing that if “Type II multi-level governance” is conceived “as being both flexible and heterarchical, then the BC case cannot be accurately described as fitting this type” (Curry, 2018, p. 111). However, neither can the B.C. case be “completely explained as a Type I system consisting of rigid structure and hierarchical governments” (Curry, 2018, p. 111). Instead, Curry concludes that B.C “is an amalgamation of the two systems: it fits into the hierarchical mould of Type I but displays some of the flexibility of Type II” (Curry, 2018, p. 111). This new model of MLG is described as “multi-level government,” where “flexibility is most evident at the horizontal level, with the vertical level continuing to rely on more formal, hierarchical approaches to policy” (Curry, 2018, p. 111). Curry does acknowledge that there “are still important extra-governmental relations” in the B.C. context, such as with private interests and the Union of British Columbia Municipalities (UBCM), an organization that “aims to promote cooperation between municipalities and the province” (Curry, 2018, p. 107). However, while “the actors involved in the process of governance have expanded in recent years, governance in the province of British Columbia has remained quite government-centric” (Curry, 2018, p. 107; Smith & Stewart 2009).

In British Columbia, municipalities follow “three basic tenets”: (1) they must abide by provincial rules, (2) they must “perform certain administrative activities,” that the Province has outlined for them and (3) they must have all of their actions “authorized” through legislation created by the Province (Smith & Stewart, 2009, p. 185). The “powers and responsibilities” of municipalities, and the ways in which they differ from regional districts are outlined in the *Local Government Act*, created by Liberal Party in 2000 to

replace the Social Credit Party's 1957 *Municipal Act* (Smith & Stewart, 2009, pp. 185, 187). This *Local Government Act* and the 2004 Community Charter, "increased the power held by municipalities" (Smith & Stewart, 2009, p. 185). Under the Charter: (1) "municipal governments are now recognized as a separate and autonomous order of government, no longer simply a creature of the provincial government," (2) now have "all the powers, rights, privileges, and capacity of a natural person," which allows "local governments to act more freely in those areas in which they have jurisdiction," (3) "the number of municipal decisions subject to provincial approval has been reduced, though by no means eliminated," and (4) "the provincial government must now consult with municipal governments if it plans to change the funding or responsibilities of municipalities" (Smith & Stewart, 2009, p. 195). Thus, Smith & Stewart argue that "many of the B.C. reforms of the past decade suggest a clear willingness on the part of provincial governments to consider the needs of municipal governments and generally to work collaboratively with the local level" and "that this collaborative streak is not simply a partisan characteristic" as it has been in place across Provincial parities of various political strips (Smith & Stewart, 2009, p. 196).

Yet, while the passage of the Charter indicates "that [the Province] is at least willing to foster new arrangements and to address local governance issues," Curry's arguments indicate that in practice "the reality more closely resembles traditional top-down power structures" (Curry, 2018, pp. 108-110). The Province continues to have the ability to "revoke" municipal powers as it sees fit and "many of the powers granted to the regional and municipal levels have not been accompanied by an increase in the financial capacity of local governments," limiting the actions that municipalities can take (Curry, 2018, pp. 110, 112). In other words, there is "a mismatch between traditional ideas of government/ governance and how these operate "on the ground'" (Curry, 2018, p. 103). Similarly, Smith and Stewart note that under the Charter, the Province does not necessarily have "to involve the municipal level in the decision-making process" (Smith & Stewart, 2009, p. 190). In fact, in the B.C. context, "the province still uses its heavy hand often enough to allow the conclusion that more traditional thinking about local-senior government relations continues to find significant expression" (Smith & Stewart, 2009, p. 197). Therefore, for Smith and Stewart, "despite the increased autonomy of municipalities, provincial precedence is ultimately maintained" (Smith & Stewart, 2009, p. 188). As a result, while the B.C. government has "described its oversight role with

respect to the municipalities as ‘rowing not steering,’” continued intergovernmental hierarchy has meant that a more “accurate” description of this relationship is one of “rowing and steering” (Smith & Stewart, 2009, pp. 184, 190).

Given this distribution of money and authority, Robert Young, a Political Science Professor at Western University, has argued that “in many intergovernmental relationships, municipalities lack the resources and the jurisdiction to make much of a policy impact” and that they “tend to be policy takers” (Young, 2013, p. 14). Scholars Lionel Feldman and Katherine Graham make a similar argument, specifically with regards to land use planning and federal, provincial and municipal relations in Ontario and Alberta. They argue that “land use control and growth is, at best, a shared responsibility between municipalities and the provinces” but that “in strict constitutional terms, the Provinces have the power” (Feldman & Graham, 2008, p. 84). Given this constitutional division of land use planning authority, “the municipality more than any other level of government finds itself in a position where either it is responding to another level of government's initiative or simply reacting” (Feldman & Graham, 2008, p. 83). Therefore, in an argument that echoes Young, Feldman and Graham note that in a Canadian land use planning context, the municipal relationship with higher order government scales is largely reactionary.

However, Frisken, a professor at York University, notes that “even though Canadian municipal governments are often viewed as no more than “creatures of the provinces,” and thus as devices for implementing provincial laws and directives, there has been far more analytical attention paid to the politics, institutions, and decisions of local governments, particularly as these relate to city and metropolitan area development, than there has been to those of the provinces” (Frisken, 1994, pp. 21-22). As a result, “neither the extent of provincial involvement in urban policymaking nor the constraints on provincial initiative are well understood” (Frisken, 1994, pp. 21-22). Frisken has, therefore, attempted to address this lack of scholarly analysis in her own work. For example, in her discussion of Ontario’s provincial property tax law reform of the 1970s, she discusses how local governments impacted “provincial initiative,” resulting in municipalities being provided the choice to implement provincial policies as well as the benefits to the Province of providing municipalities such choice (Frisken, 1991, pp. 351, 376-378). Frisken argues that in the Ontario case, the Province’s “advantage” over local governments “derived not from its power to pass laws requiring

municipalities to do things they did not want to do, for it was not willing to use that power,” instead relying on “negotiation” to “win local government cooperation” on tax reform (Friskén, 1991, pp. 376, 378). Given, “local interests, working through local political institutions” the Province eventually abandoned attempts to create “province-wide reform” and made such reform optional for municipalities, allowing for municipal “autonomy” in the adoption of central government policy (Friskén, 1991, p. 376). For Friskén, the Province’s “advantage,” therefore, stemmed from its “ability to withdraw from the fray altogether, leaving it up to local governments to decide how to reconcile competing economic and political pressures at least cost to themselves” (Friskén, 1991, p. 378). The Province’s authority to pass the responsibility of policy implementation to local governments as well as the associated conflict and controversy, proved to be a more beneficial by-product of the hierarchical provincial-municipal relationship than the ability to mandate municipal action. Despite the fact that the Province had “argued the case for reform,” it was “municipalities that determined how well the local tax system conformed to [provincial] objectives” (Friskén, 1991, p. 378).

In addition to sometimes having the choice of whether and how to implement central government policies, in a later work Friskén has also argued that municipalities in Canada have land use planning and regulatory authority (Friskén, 1994, p. 26). Municipal autonomy is, therefore, not simply limited to choosing whether to implement optional central government policies as local governments can take initiative and create land use control policies themselves. Despite this ability, however, there is “considerable variation in the extent to which Canadian municipalities use their planning powers for these purposes” (Friskén, 1994, p. 26). Some municipalities may choose to leave policy creation to higher order governments, using a lack of jurisdiction to justify a lack of action (Friskén, 1994, p. 32). Friskén, ultimately, describes the power held and exercised by multiple scales of governments in an urban growth context as such:

The federal government is generally indifferent to the nature and needs of metropolitan Canada. While provincial governments differ in their willingness to grapple with the challenges of urban growth and expansion, they are at best ambivalent about intervening in the private land market or usurping powers traditionally assigned to local governments. Thus, much of the onus for meeting those challenges is falling on municipal authorities. Whether they test the outer limits of their powers or use those limits as excuses for inaction; whether they cooperate or compete with each other; and whether they persist in traditional land-use practices or undertake to modify them, their activities will have considerable influence on the future

form of metropolitan areas and the distribution of advantages and disadvantages within them, Because they are likely to interpret and exercise their responsibilities in diverse and uncoordinated ways, existing differences both within and among Canada's metropolitan areas will become more rather than less pronounced (Friskin, 1994, p. 32)

This study contributes to the understandings of multi-level governance in British Columbia outlined here by arguing that the ALR can be understood as fitting Curry's framework of "multi-level government" (Curry, 2018, p. 111). Through an examination of what, how and why federal, provincial, regional and municipal policies have changed, this study explores the division of ALR authority as well as the willingness and ability of federal, provincial, regional and municipal scales to exercise their respective authority to protect agricultural land from non-agricultural purposes. The federal and regional governments, as will be discussed in later chapters, are generally only indirectly involved in the regulation of land uses in the ALR, with the regulation of such matters being largely left in the hands of the Province and municipalities. However, the B.C. government has at times passed the responsibility of protecting agricultural lands from non-agricultural uses to municipalities. These local governments have, in turn, struggled to create policy in the face of sometimes conflicting and competing interests and jurisdictions, leading to inaction or compromises. The next section will further discuss policy creation and its associated challenges in the multi-jurisdictional context of the ALR.

2.2.2. Policy Creation and Change in the Context of a Multi-jurisdictional ALR

Scholars Jonathan Jackson and Meg Holden have previously used the case of the Jackson Farm ALR exclusion in Maple Ridge, B.C to provide "locally-specific insight into the challenges of implementing a complex policy agenda" in a multi-jurisdictional context (Jackson & Holden, 2013, p. 4844). These authors "demonstrate the value of intergovernmental coordination, when coupled with rigorous implementation standards, for the protection of farmland" (Jackson & Holden, 2013, p. 4845). However, they also argue that "implementing inter-governmental coordination and collaborative governance in a context of both significant sustainability policy and urban growth" has led to a search for "win-win" policies that involve "acceptable trade-offs" between the economy and the environment (Jackson & Holden, 2013, pp. 4843, 4850, 460-462, 4864). For Jackson & Holden this "very notion of acceptable trade-offs" shows the "challenges of

implementation of strong policy in a contemporary growth context” (Jackson & Holden, 2013, pp. 4850, 4864). In this context, the search of policy “compromises” at present “appear[s] to take precedence over the pre-existing arguments in favour of agricultural land protection” (Jackson & Holden, 2013, pp. 4860-4861). Collaboration continues to be present in the MLG context of the ALR, but it is this very collaboration and the multi-jurisdictional character, that presents both “limits as well as opportunities,” in terms of protecting agricultural land (Jackson & Holden, 2013, pp. 4860-4861).

Such an argument contrasts to McDougall et al.’s more general arguments, mentioned previously, that provincial “priority projects” have resulted in the Province’s prioritization of economic interests over the regional “Vision” (McDougall et al., 2017, pp. 41-42). In such cases, McDougall et al, argue that the Province has favored the “hierarchical imposition of authority” over collaboration with municipal governments, leading these authors to question whether regional planning remains “a collaborative, non-hierarchical process” (McDougall et al., 2017, pp. 42, 51). Similarly, Young argues that MLG sometimes creates “joint-decision traps” where the “sheer number of players and their non-congruent policy agendas” can result in “federal or provincial unilateralism,” or “stasis” in the creation of policies (Young, 2013, p. 6). In other words, policy creation in an MLG context is challenging not because of its collaborative nature, as these authors questions the very presence of intergovernmental collaboration. Rather, conflicting interests can result in siloed policy creation and the “imposition” of policies on municipalities by higher order governments or a lack of policy development and the maintenance of the status quo.

Young also notes several other challenges for policy creation in a multi-jurisdictional context. For example, MLG “can make it difficult for citizens to hold governments accountable” as “the distribution of responsibility” for policy decisions becomes unclear (Young, 2013, pp. 8-9). The “sheer turnover of political leadership” during elections can pose a further challenge to intergovernmental cooperation and coordination, which “requires interaction and trust” (Young, 2013, p. 5). In Young’s view intergovernmental cooperation is “less likely” for twelve months after elections as municipal governments are “inward-looking and will take time to trust their counterparts at the other levels” (Young, 2013, p. 5). Competition between municipalities is also argued to reduce intergovernmental cooperation (Young, 2013, p. 7). Wilson and Frisken further note that in North America central governments are in fact “reducing their

financial support for municipal services, thereby making municipal governments more dependent on local property taxes” (Wolfson & Frisken, 2000, pp. 362-363). This increased dependency of local tax dollars has led to intermunicipal competition for development and has undermined the creation of “cooperative and cohesive policy” (Wolfson & Frisken, 2000, pp. 362-363). Yet, Young argues that “effective” policy that has “achieved its objectives” requires such intergovernmental cooperation and coordination (Young, 2013, p. 4). For Young, “effectiveness” is one of “two dominant criteria of good policy in Canadian municipalities” with the other being “responsiveness,” or policy “congruen[cy] with local preferences” (Young, 2013, p. 4).

In contrast to these increased calls for cooperation and coordination between government scales, Ray Tomalty has claimed that since “the province sets the rules for the planning and development game in British Columbia (as elsewhere in Canada), the primary responsibility of reform lies with it” (Tomalty, 2002, p. 444). Tomalty is a Principle of Smart City Research Services, a Canadian consulting firm that “provides policy advice” to governmental and non-governmental institutions in an attempt to “bridge the gap between planning visions and real changes in the way cities are built ‘on the ground’” (Smart Cities Research, 2014, “About the Firm”). Similarly, in Campbell’s view “an Agricultural Land Commission that defers too frequently to local governments, which are sometimes ill equipped to consider complex issues that extend far beyond their own boundaries, is an institution in trouble” (Campbell, 2006, p. 24). As a result, “clear, comprehensive, consistent and resolute provincial policies” are needed (Campbell, 2006, p. 24). Such calls for more centralized farmland protection measures have partially been in response to the 2001 Liberal government’s creation of regional ALC panels (Garrish, 2002/2003, p. 54). These panels were seen by organizations such as Smart Growth B.C. as being “more susceptible to pressure from local development interests” (Hanna & Noble, 2010, p. 296).

A key requirement of this shift back to centralized policy creation is political will. For example, Jenny Stewart argues that “steady and unflinching political will (or other forms of external pressure) is required to bring about change in powerful public bureaucracies, precisely because of the institutional values that are ‘locked-in’ to their outlook and practices” (Stewart, 2006, p. 190). Such political will for change can form when a “set of policy values” become “unacceptable to a significant number of voters [which] make it politically worthwhile for a party or political figure to champion the cause”

(Stewart, 2006, pp. 192-193). This is especially true in a “media-dominated age” where if politicians are “identified with policies that the electorate has tired of, or which are seen as having served their purpose, they will have difficulty in hanging on to power” (Stewart, 2006, pp. 192-193).

Young also notes that “very few” non-governmental actors, involved in policy creation at the municipal scale, can “operate effectively at higher levels of government” (Young, 2013, pp. 9-10). As a result, in Young’s view it is private interests that “are generally reflected in the outputs of multi-level policy processes” (Young, 2013, p. 9), as opposed to the interests of the wider electorate as argued by Stewart. Private not public interests determine the political will for policy creation and change. However, urban planning consultant Jeffrey Patterson takes a more nuanced approach to his discussion of private interests and policy creation in B.C. He argues that varying provincial parties have “historically maintained radically different views of planning and development” (Patterson, 1998, p. 731). Political parties have not always favored private interests or have not favored them to the same degree. As a result, “the fortunes of planning in B.C. have historically tended to reflect the views and fortunes of the party in power” (Patterson, 1998, p. 731). University of Toronto Professor David Pond has similarly argued that “policies and the instruments relied upon to deliver them reflect the institutional frameworks within which policy is developed as well as the influence of the political and economic interests clustering around government” (Pond, 2009, p. 238). Different parties or levels of government have valued development and protecting agricultural land to varying degrees, favoring one over the other, and developing policies that reflect those values.

As Greg Halseth, Professor at the University of Northern British Columbia, notes such development of agricultural land is in many cases “contested” by residents, which “can influence the outcomes of development pressures” (Halseth, 2003, p. 308; Halseth, 1999, p. 101). For instance, in the Jackson Farm case, Jackson and Holden illustrate how the multi-jurisdictional character of the ALR resulted in longer application reviews, which provided time to increase “public awareness” and organize opposition campaigns (Jackson and Holden, 2013, pp. 4860-4862). Thus, while there are several challenges for policy inherent in the multi-jurisdictional structure of ALR, this MLG framework can also allow for increased public participation in the development of policies. Ultimately, McDougall et al. view such participation and “negotiat[ion]” of “policy outcomes” by

“different stakeholders with conflicting interests” as being “key to the staying power of the Cities in a Sea of Green Vision” (McDougall et al., 2017, p. 13).

This study adds to the literature outlined here by examining the challenges of policy creation and change in an MLG context involving federal, provincial, regional and municipal policies and politics, which can converge and diverge, impacting the protection of agricultural land from non-farm uses. It builds off the work of previous scholars by exploring how the MLG character of the ALR “limits” the action that governments of various scales can take to protect agricultural land while at the same time providing a possible avenue through which to better protect agricultural land in the future (Jackson & Holden, 2013, pp. 4860-4861). It further explores a case study where non-agricultural development of ALR land was in fact “contested” by residents, which in turn helped shape the policy responses of various scales of governments as well as the implementation of the regional planning “Vision” ‘on the ground.’ The next section of this literature review presents peri-urban spaces such as the City of Richmond, the analytical focus of this study, as a particularly contentious for policy development and change, illustrating the significance of this chosen geography for understandings of MLG.

2.3. The Peri-Urban as a ‘Contested Ground’ for Policy Development and Change

The challenges related to policy creation and change in an MLG context, noted previously, are particularly evident in “peri-urban” spaces. Scholarship of the “peri-urban” or “rural-urban fringe,” used interchangeably here, dates back to the early 1950s and 1960s when concerns around farmland loss were increasing (Newman et al, 2015, p. 101). Before 1990, such spaces were generally defined as “zones of transition” between “distinct” urban and rural landscapes (Newman et al., 2013, p. 101). These areas were “also typically in transition themselves,” becoming increasingly urbanized over time (Newman et al., 2013, p. 101). In such literature, the fringe was seen as “a zone of residential housing with businesses and services pushing into passively yielding farmland” (Newman et al., 2013, p. 101). For instance, Robert Pryor in his 1968 paper, *Defining the Rural-Urban Fringe*, provides a definition of the “rural-urban fringe” that typifies such thinking arguing that:

The rural-urban fringe is the zone of transition in land use, social and demographic characteristics, lying between (a) the continuously built urban and suburban areas of the central city, and (b) the rural hinterland, characterized by the almost complete absence of nonfarm dwellings, occupations and land use, and of urban and rural social orientation; an incomplete range and penetration of urban utility services; uncoordinated zoning or planning regulations; areal extension beyond although contiguous with the political boundary of the central city; and an actual and potential increase in population density, with the current density above that of surrounding rural districts but lower than the central city. These characteristics may differ both zonally and sectorally, and will be modified through time (Pryor, 1968, p. 206)

More recently, authors have examined “the interrelationships” between the rural and the urban in ‘peri-urban” spaces (Bourne et al., 2003; Scott et al., 2013, pp. 9, 44). For example, Joe Ravetz, Christian Fertner, and Thomas Nielsen have argued that, “the peri-urban can be seen as not just a fringe in-between city and countryside, a zone of transition” but rather “the peri-urban is, by definition, something in-between, not clearly delineated, a hybrid result of different forces at different scales” (Ravetz et al, 2013, pp. 13, 41). For Ravetz et al, “the dynamics of the peri-urban and of land use change are complex and multi-level; they are also the subject of conflict and competition between different social and political groups” (Ravetz et. al., 2013, p. 29). As “frontiers of expansion,” these peri-urban spaces “acts as a litmus test of change and transition, not just locally at the interface of urban and rural, but in the shape of the whole city-region” (Ravetz et al., 2013, p. 14). Ultimately, these authors conclude that given continued “urban sprawl,” “the peri-urban (sometimes also called the urban fringe) may be the dominant urban form and spatial planning challenge of the twenty-first century” (Ravetz et al., 2013, pp. 13-15).

Others have also discussed the urban-rural conflict present in such peri-urban spaces as well as the associated challenges for policy creation. For example, Bourne, Bunce, Taylor, Lunka and Maurer have described the “urban-rural fringe” as a “contested ground, in terms of land use and function, in public policy and planning practice, and in terms of the images, meanings and values attached to place and landscape” (Bourne et al., 2003, p. 266). Alister Scott, Claudia Carter, Mark Reed, and Peter Larkham, through a case study of England, have further argued that “policy disintegration” is present in “peri-urban” spaces (Scott et al., 2013, p. 43). They present the “significant divide in the way the built (urban) and natural environment (rural) are planned for,” as the root cause of this lack of policy integration (Scott et al., 2013, p. 43).

For Scott et al., this creation of plans and policies in “isolation from each other,” ultimately needs to be addressed through increased interaction and “partnerships” (Scott et al., 2013, p. 44). Similarly, Bourne et al., also see inadequate planning as contributing to agricultural land loss in the “urban rural fringe,” questioning the degree to which land use plans and planning tools can actually protect agricultural land in “peri-urban” spaces from non-agricultural development (Bourne et al., 2003, pp. 265-266). These authors come to the pessimistic conclusion that “given the uneven competition between urban and rural uses,” and the fact that the regional strategy does not adequately address such conflict, “the urban will increasingly dominate the fringe” (Bourne et al., 2003, pp. 265-266). In contrast, Lenore Newman, Canada Research Chair in Food Security and Environment along with Lisa Powell and Hannah Wittman through their case study of the City of Richmond, a municipality located in the “rural-urban fringe,” show how the presence of a land use planning tool, namely the ALR, and resistance from the urban electorate have historically allowed farmland to be protected from urban development (Newman et al., 2015, pp. 101, 108).

However, despite the fact that agricultural land loss to non-farm uses in the City of Richmond would have been higher without the presence of the ALR, sometimes competing and conflicting politics and policies, or the lack thereof, between, across and within federal, provincial, regional and municipal scales, has still allowed for the continued non-agricultural development of ALR lands. Such loss has occurred through both successful exclusions and the non-farm use of lands still within the ALR’s boundaries. It has been made all the more significant given the proportionally high share of ALR land in the City as well as the questions it has raised about government policy creation in a MLG context and the continued viability of the regional “Vision,” particularly in “peri-urban” spaces, where a lack of cooperation and policy coordination is evident. Ultimately, this study examines the extent and distribution of such development on ALR lands in the City of Richmond to help address the degree to which agricultural land is being protected from non-farm uses in practice and the impacts of government policies, or lack thereof, on the maintenance of an agricultural land base. The final section of this literature review outlines how this research focus addresses gaps in past scholarly literature.

2.4. Past Studies of the ALR and Current Gaps in Scholarly Literature

This study builds on Smith & Stewart argument that “successful multi-level governance in Canada requires federal, provincial, and municipal governments cooperating” (Smith & Stewart, 2009, p. 184). Such cooperation “means not just municipal governments doing the bidding of more senior governments, but also policy sometimes being directed from the bottom up” (Smith & Stewart, 2009, p. 184). Jackson & Holden have previously explored the need for cooperation between different levels of government (Jackson & Holden, 2013, pp. 4861-4862). In contrast, Kent Mullinix Director of the Institute for Sustainable Food Systems (ISFS) at Kwantlen Polytechnic University and Naomi Robert Associate Researcher at ISFS, have examined Official Community Plans in B.C., calling for coordination between different cities, especially between “urban and rural municipalities” (Robert & Mullinix, 2018, p. 1). Yet, these studies have failed to address the fact that urban and agricultural policy integration is also required within cities. This study hopes to address this gap in current scholarly literature through a case study of ALR lands in Richmond B.C., a “peri-urban” space where policy has often been “directed from the bottom up.”

Like Curry, this study also acknowledges that relations with non-government actors do play a significant role in British Columbia (Curry, 2018, p. 107). It also recognizes that “the BC case hews closer to ‘multi-level government’ than to true multi-level governance, which is typified by increasing horizontal integration and the full involvement of non-governmental actors” (Curry, 2018, p. 107). This locally specific case study, therefore, supports Curry’s claim of a “mismatch between traditional ideas of government/governance and how these operate “on the ground”” (Curry, 2018, p. 103). It seeks to illustrate how in the context of the multi-jurisdictional character of the ALR, converging and diverging interests at various scales as well as conflicting public and private interests have resulted in inconsistent policies impacting the protection of agricultural land from non-farm uses. Such inconsistencies are present between provincial, regional and municipal governments, between municipalities and between urban and agricultural areas within municipalities. These inconsistent policies have, in turn, allowed for the increased agricultural-urban conversion of ALR lands.

Using GIS, this study also maps the extent and distribution of this agricultural to urban land use conversion. Rodolfo Manaligold has previously used GIS software to map and categorize land uses along the ALR's boundaries into different "interface" types such as "fallow land-residential" and to explore the "ecological and social rifts" along these interfaces (Manaligold, 2017, pp. 14-16, 51, 84). However, these conflicts were not explicitly tied to uncoordinated policy. Moreover, as Michael Yeomans has argued "some problems will transcend these dividing lines, and others may arise well inside the residential or agricultural zones" (Yeomans, 1987, p. 24). As a result, this study maps residential and accessory residential development within the ALR boundary in Richmond, relating such development to uncoordinated policy and policy change within a multi-jurisdictional context.

Past scholarship has argued for the general success of the ALR as an urban containment boundary in B.C. but notes that limitations to its effectiveness exist (McDougall et al., 2017, p. 18; Newman et al., 2015, pp. 100, 109). For example, Newman et al. have used the two cases of the Terra Nova and Garden City Lands exclusion applications to support their claim that "the ALR farmland perseverance structure and its support from local urban food movements has allowed the landscape both to be protected from urban development and to continue to evolve as space for food systems engagement, even under extreme pressure for suburban housing and related development" (Newman et al., 2015, p. 108). Yet, despite the ALR's success in "slowing the development of farmland" (Hanna, 1997, p. 170), more than 34,000 ha of ALR land in Southern BC has been lost to urban development through exclusion applications (McDougall et al., 2017, p. 24). Ultimately, this case study of Richmond B.C. hopes to add to current understandings of the effectiveness of the ALR in protecting agricultural land from urban development within an MLG framework. While the protection of farmland through land use policy may not be "enough," ALR lands must first be maintained before the productivity of such land can be increased (Tatebe et al., 2018, p. 40).

This analysis is significant as it: 1) shows the extent and distribution of residential development on ALR parcels in Richmond, exploring the effectiveness of the ALR in protecting agricultural land from non-farm uses; 2) explicitly connects non-agricultural development of ALR lands in Richmond to politics and uncoordinated policies, or lack thereof, between federal, provincial, regional and municipal scales of governments and

within the City; 3) examines the challenges of protecting farmland from residential and accessory development in this MLG framework and; 4) discusses the steps that have and can still be taken to protect farmland, calling for increased cooperation and policy coordination between, across and within scales of government.

Chapter 3.

Methodology

This study examines the impacts of federal, provincial, regional and municipal policies, or lack thereof, on residential development on ALR lands in Richmond. A mixed methods approach is utilized. This approach involves: 1) reviewing government documents, archival materials, newspapers and advocacy sources, which are relevant to MLG policies impacting the residential and accessory residential development of ALR lands in Richmond; 2) conducting semi-structured interviews to better understand the challenges of protecting agricultural land in a MLG framework and; 3) listing and mapping ALR building permit data, ALR exclusion data as well as residential and accessory residential footprints on ALR lands in Richmond, linking such development to a period of significant policy change at multiple scales of government. Such analysis, combining more traditional document analysis and interviews with mapping techniques, provides a unique methodological framework for understanding and measuring agricultural to non-agricultural land use change within an MLG context characterized by inconsistent policies, or lack thereof, to protect ALR lands from non-farm uses.

3.1. Documentation

First, a combination of academic, policy, advocacy, archival and media sources were used to review the creation and change of ALR policies at multiple scales of government. These sources were then used to discuss how MLG policies have impacted the residential and accessory residential development of ALR lands in Richmond. The archival materials referred to here are from a personal collection of documents, newspaper clippings and correspondence in the possession of a municipal politician long involved with ALR matters.

3.2. Interviews

Then, six semi-structured interviews and three follow-up interviews were conducted with: A City of Richmond Planner; a City of Richmond Councillor; an ALC Regional Commissioner; an ALC planner; a Regional Agrologist with the B.C. Ministry of

Agriculture; and a Richmond FarmWatch member. Three of these individuals are also members of the 2019-2022 Metro Vancouver Agricultural Advisory Committee. Each interview was approximately 30 minutes to two hours in length. This variation depended on the length of responses given and the willingness or ability of respondents to address certain questions.

The purpose of these semi-structured interviews was to better understand the challenges faced by the City of Richmond when trying to protect the City's agricultural land from non-agricultural development. They were also used to explore the extent to which a lack of policy coordination between different scales of government, across the same scale and within the City contributed to these challenges. Finally, these interviews were used to discuss the steps that are currently taken and can still be taken to address this lack of policy coordination.

3.3. Land Use Change Analysis Using ArcGIS

Then, the extent and distribution of residential development on ALR lands in Richmond were measured from 2013 to 2018 and from 2016 to 2018. Other scholars have defined the ALR as an urban growth boundary that has been relatively successful in protecting agricultural land in the province (Newman et al., 2015, p. 109). This study employed a combination of building permit data and ALC exclusion application data, gathered from municipal and provincial sources to explore this claim. It also mapped residential footprints on ALR lands. These data sources were used to examine whether in Richmond, B.C the ALR has partially failed as an urban growth boundary by allowing for increased residential and accessory residential development of agricultural land over time.

First, information about the area and location of ALR exclusion applications in Richmond were obtained from B.C. Open Data. This data helped to establish what parcels of land have historically been excluded from the ALR in Richmond, illustrating the distribution of these applications within the ALR. Then, municipal building permit data on issued and cancelled applications were obtained from the City dating from January 2009-May 2019. This information, in combination with data obtained from municipal and public consultation documents, showed the number and size of residential building permit applications within the ALR boundaries in Richmond.

These sources, however, do not show the size and distribution of residential footprints within the ALR's boundaries over time. Furthermore, they do not include accessory residential uses, beyond garages and decks, which often accompany large residences. Thus, a layer of polygon's, indicating the size and location of ALR dwellings in 2016 was obtained from the B.C. Ministry of Agriculture. This layer was then altered to incorporate accessory residential land uses such as tennis courts, pools, and landscaping, not included in the original Ministry of Agriculture layer, making the GIS analysis undertaken in this study significant. However, front and back yards were excluded unless an accessory residential use was visible in these spaces. This decision was made since in the absence of accessory residential uses these yards could potentially be used for agricultural purposes in the future. A 2016 air photo obtained from the City of Richmond was used in making these alterations. Then, a feature layer was created for 2013 and 2018, once again using air photos obtained from the City as reference. These three layers provided five and two-year increments for analysis, allowing for the examination of agricultural to non-agricultural land use change during a period of significant policy change at multiple scales of government. For example, in 2016 the Provincial government introduced the Foreign Home Buyers Tax and in 2017 the City of Richmond took action to amend its own bylaws regarding residential development on ALR land, following the Province's refusal to do so.

The 2018 air photo used in this analysis was the most recent available. Generally, individuals have 180 days to begin construction after the issuance of a building permit under local Building Regulation Bylaw 7230 (City of Richmond, 2018e, p. 2). Houses on agricultural sites in Richmond would also "need between 9-12 months of pre-load in order to densify the soil sufficiently for construction to begin," but after this one-year period at least some construction is evident (Local Planner, personal communication, March 2019). Thus, while the use of a 2019 air photo would have been preferable, the 2018 air photo represents the best data available. It should capture some of the residential and accessory residential development that has occurred as a result of building permits issued in 2017 when bylaw changes began to be made at City council after the Province's unwillingness to regulate (City of Richmond, 2017e, p. 3). Furthermore, while air photos taken from April to May 2013, 2016 and 2018 were relied on to create these GIS land use layers, the use of the Agricultural Land Use Inventory layer as a base for this analysis as well as the high resolution of the air photos used,

assisted in improving the accuracy of the results.¹⁵ Issued building permit data, obtained from the City of Richmond, also provided another check on the results. Changes observed from the air photos were compared to where and when building permit applications were issued.

This study drew from Taylor & Burchfield's (2010) methodology for analyzing development on the fringe (Taylor & Burchfield, 2010, p. 97), to measure such development. Bands of 250 meters (Taylor & Burchfield, 2010, p. 97) were created from the edge of the ALR, moving inwards. For each band an "urban density" calculation was created (Taylor & Burchfield, 2010, p. 97). Then, the number of "discrete urban areas" or "urban patches" were determined in each band and represented as a percentage of all ALR "urban patches" (Taylor & Burchfield, 2010, p. 97). The area of these "urban patches" were also compared across bands (Taylor & Burchfield, 2010, pp. 96-97). These calculations were repeated for the 2013, 2016 and 2018 images and the results compared. Therefore, "urban density," "number of urban patches" and "size of urban patches" were three indicators used to measure the extent and distribution of development across space (Taylor & Burchfield, 2010, p. 97). The results show the effectiveness of the ALR as an urban growth boundary and the compactness of urban development that has occurred in the City. This, in turn, contributes to discussions on the continued viability of the regional "cities in a sea of green" regional planning "Vision" (McDougall et al., 2017, p. 4).

In December, 2018 the City of Richmond further limited their allowable farm house size, height, farm home plate, and created a new farm footprint limit (City of Richmond, 2019a, p. 3), so that farmhouses are now more in line with the 4,187 ft² average house size, including a garage, permitted in Richmond's RSI/E zone (City of Richmond, 2017e, p. 7). This RSI/E zone is the City's standard large lot singly family zoning district (City of Richmond, 2017e, p. 7). Also, on February 22, 2019, the Province did set an enforceable maximum 500 m² farmhouse size with municipalities being permitted to establish stricter limits (Minister of Agriculture, 2018d, pp. 1, 4-5). Therefore, 2018 likely represents the peak of massive home construction permitting on agricultural lands in Richmond, because the new uncoordinated policy action in December 2018 and

¹⁵ The 2016 and 2018 air photos had cell sizes of 0.075m by 0.075m and the 2013 air photo has cell sizes of 0.1m by 0.1m.

February 2019 will stall and change residential development on ALR lands in Richmond once again. However, the impact of these regulatory changes on the extent and distribution of residential and accessory residential land uses within the ALR are outside the scope of this GIS analysis, given that their effects have not yet appeared in available air photos. Thus, these 2018-2019 regulatory changes, and their potential impacts on the future non-agricultural use of ALR lands are instead explored in a qualitative capacity using archival material, government documents and interviews.

Chapter 4.

Contextual Background

4.1. Federal Government Policies Impacting Non-Agricultural Development of B.C.'s ALR

Under the Canadian *Constitution Acts*, 1867 to 1982, the Federal and Provincial governments share legislative authority on matters related to Agriculture (Government of Canada, 2018, “Concurrent/Shared Powers”). Although, Provincial legislation can not contradict federal legislation (Government of Canada, 2018, “Concurrent/Shared Powers”). For example, in 1968 the federal Department of Agriculture and Agri-Food was created, which together with its provincial counterparts, is responsible for the “development and delivery of policies and programs” related to this sector (Agriculture and Agri-Food Canada, 2016, para. 3). There are also agricultural related responsibilities solely in the purview of the federal government, including the Census of Agriculture, which allows for the gathering and dissemination of data (Agriculture and Agri-Food Canada, 2019, “Key Departmental initiatives”). International trade agreements, like the United States-Mexico-Canada Agreement, that impact agriculture in Canada are also a federal responsibility (Agriculture and Agri-Food Canada, 2019, “Key Departmental initiatives”).

The federal government is for the most part only indirectly involved in ALR governance, for example through ports. In 1998, the federal *Canada Marine Act* set out the business and governance model of Canada’s Port Authorities (CPAs) (Government of Canada, 2012, para. 2-3). These CPAs are “federally incorporated, autonomous, non-share corporations that operate at arm’s length from the federal government, who is the sole shareholder” (Government of Canada, 2012, para. 2-3). One such example is the Port of Vancouver, which borders 16 municipalities, one electoral area and one treaty First Nation in Metro Vancouver (Campbell, 2015, p. 16). Efforts to expand the Port’s operations has sometimes come at the cost of Metro Vancouver’s agricultural land. Given its status as a federal entity, the Port can exclude ALR land in the region for non-agricultural purposes without approval from the Province, region or municipalities. The Port is also not legislatively bound by provincial, regional or municipal policies intended to protect agricultural land. While lower order governments can not contradict federal

policies (Government of Canada, 2018, “Concurrent/Shared Powers”), as a federal entity, the Port’s actions are able to contradict those of lower order governments, if not prohibited by the federal government.

Such authority has allowed the Port to purchase farmland for non-agricultural uses (Campbell, 2015, p. 20). For example, in 2009 the Port purchased the approximately 230-hectare Gilmore Farms in East Richmond against the wishes of other levels of government and the ALC (City of Richmond, 2015b, p. 3; Pynn, 2009). While these lands have not been converted to industrial use and are currently leased for farming purposes, the threat of such a conversion remains after the leases expire (Campbell, 2015, p. 20; Port of Vancouver, n.d., para, 15). The City has argued that while there is ample industrial land available for development, the Port has purchased ALR land due to its relatively lower costs (City of Richmond, 2015a, p. 3; Sinoski, 2015, para. 13-14). This fear of agricultural to industrial land conversion has only been compounded by the Port’s stated willingness and ability to override regional and municipal land use policies and the Agricultural Land Commission’s regulations (City of Richmond, 2015b, p. 3; Pynn, 2009).

The City has therefore requested that the Port’s agricultural parcels be sold back to the Municipality at “fair market value,” that the Minister of Transportation prohibit the future purchase of ALR land by the Port and that a “meaningful consultation and formal dispute resolution process” be created to address similar issues in the future (City of Richmond, 2015, p. 4). These recommendations have been subsequently endorsed by the Union of B.C. Municipalities and the Lower Mainland Local Government Association, which represents and advances the interests of thirty three municipalities and three regional districts, including Metro Vancouver, within the UBCM (City of Richmond, 2016, p. 2; Lower Mainland Local Government Association, n.d.). However, the fact that Metro Vancouver municipalities only have one representative on the Port’s 11-person board has meant that the Port is largely not accountable to local and regional governments (Campbell, 2013, para 17; Hall, 2014, p. 214). Instead, the Board is comprised mainly of individuals nominated by port users and appointed by the federal government. This lack of accountability has and will continue to limit any intergovernmental cooperation in relation to the protection of agricultural land.

Ultimately, the Port's President and CEO, Robin Silvester, has asserted that there is not enough suitable industrial land in Metro Vancouver as current supply has been decimated by residential and commercial development pressures (Port of Vancouver, n.d., para. 5; Sinoski, 2015, para 7; Wood, G., 2015, para. 10). The region has taken the "best lands and put high rises on them" so that Metro Vancouver has "great views" but no longer has "great land" (Sinoski & Pynn, 2013, para. 29). Figure 4.1 illustrates the share and distribution of industrial lands across the region, as designated in the *Metro 2040* regional plan, when compared to other land uses. Industrial represents a more significant land use designation in the City of Richmond, while it accounts for a proportionally smaller share of total land use in many other, more urbanized, municipalities. According to Metro Vancouver's 2015 Industrial Lands Inventory, industrial uses accounted for only 4% of the total regional land base, with most of this land being concentrated in Surrey/White Rock (23%), Richmond (16%) and Delta/Tsawwassen First Nation (14%) (InterVISTAS, 2019, pp. 3-4). Despite this limited industrial land base, however, industrial employment accounts for 27% of regional labor force and 30% of the regional GDP (InterVISTAS, 2019, p. 3). As a result, the Port has been unwilling to return its purchased ALR parcels or state in its land use plan that such lands will not be purchased in the future, arguing that they "may have no choice but to consider agricultural land for expansion" (Port of Vancouver, n.d., para 17; City of Richmond, 2015a, p. 5).

The ability of the Port to override regional and local land use planning goals in the name of regional and economic prosperity presents a significant challenge for the protection of agricultural land from non-farm purposes in an MLG context where different government scales and land uses sometimes compete and conflict with one another. It also illustrates how federal government involvement may be construed in various ways by different government levels. While municipalities may view the actions of the federal government as reflecting an indifference for local and regional authority and the regional "Vision," the Port and by extension the federal government may see environmental-economic compromises as necessary to achieve local, regional and national economic growth. Therefore, while Frisken argues that "the attitude of the federal government to urban issues can best be described as indifferent" (Frisken, 1994, p. 22), such an argument does not hold in the case of the ALR. The federal government does recognize the significance of "urban issues" but has sought to address these issues as it sees fit,

through the imposition of federal authority, sometimes without consultation with lower order governments or in direct opposition to provincial, regional or local policy goals. Thus, as the ALR case illustrates, it is not so much that the federal government is “indifferent” to “urban issues,” but that it is sometimes “indifferent” to provincial, regional and municipal land use planning authority.

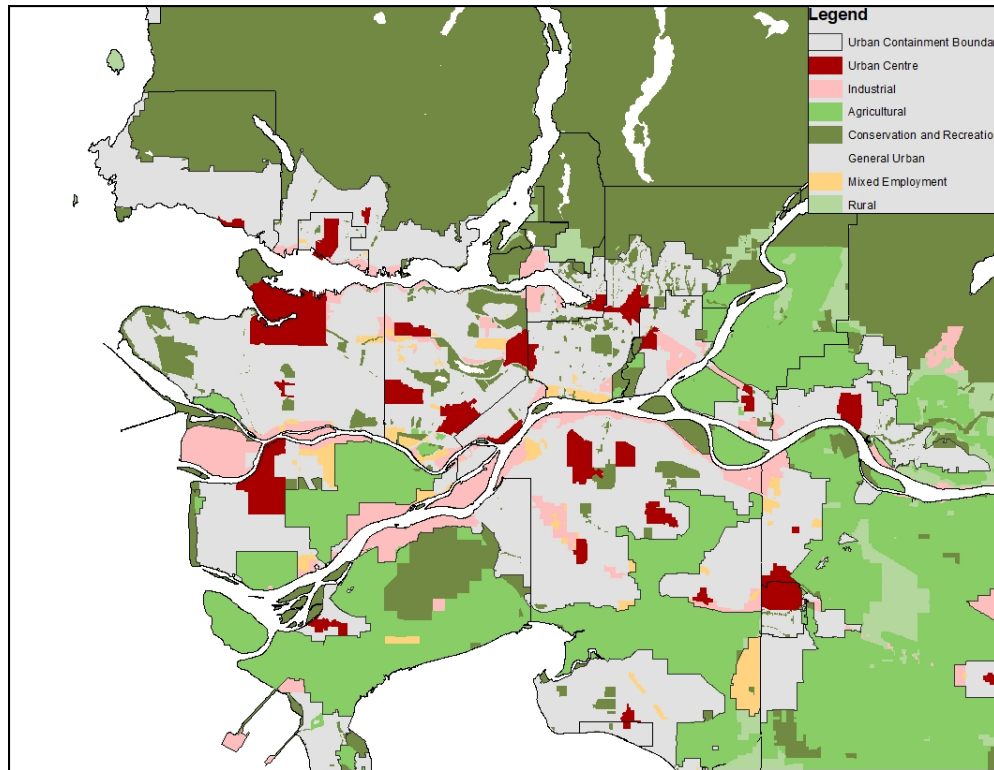


Figure 4.1. Metro Vancouver Land Use Map

Note. Data for municipal boundaries from Metro Vancouver (2017a), for land uses from Metro Vancouver (2018a), for the urban containment boundary from Metro Vancouver (2018b) and for the urban centres from Metro Vancouver (2018c)

4.2. Provincial Policies Impacting Non-Agricultural Development of B.C.’s ALR

While the federal and provincial government have joint legislative responsibility for agriculture in Canada, the Province has sole authority over property rights (Government of Canada, 2018, “Concurrent/Shared Powers,” “Exclusive Powers of the Provincial Government”). It is this constitutional authority of the Province along with the loss of farmland to non-agricultural development (Hanna, 1997, pp. 166-167), that resulted in the Provincial legislation of the 1970s to protect farmland from non-farm uses. During the 1972 provincial election, the NDP promised to take action to protect farmland

if they formed government (Stobbe, 2008, p. 16). Ironically, however, this NDP electoral victory led to a “run on agricultural land and rezoning applications” in anticipation of the promised changes (Stobbe, 2008, p. 16), resulting in a provincial “land freeze” to prevent the subdivision or rezoning of agricultural land (Runka, 2006, p. 2; Stobbe, 2008, p. 16).

Eventually, in 1973 the province introduced the *Land Commission Act*, creating a five-member Land Commission (Agricultural Land Commission, 2019c, p. 9; Green, 2006, p. 4; Patterson, 1998, pp. 736-737; Stobbe, 2008, p. 16). The Commission had “the authority to designate an Agricultural Land Reserve (ALR)” through zoning (Patterson, 1998, pp. 736-737; Stobbe, 2008, p. 16). This zoning was based partially on the Canada Land Inventory (CLI) ratings, which indicated the suitability of land for agriculture (Patterson, 1998, pp. 736-737; Stobbe, 2008, p. 16).¹⁶¹⁷ Each of the province’s 28 regional districts created in the 1960s were also involved in this process of determining the ALR’s original boundaries, tasked with creating agricultural plans with input from member municipalities, the Commission and the Province’s Department of Agriculture (Patterson, 1998, p. 737; Smith, 2012, “Designating the ALR”). These plans required approval from the Cabinet and subsequently had to be adopted through regional and local bylaws (Smith, 2012, “Designating the ALR”). The Commission also had the authority to amend these regional agricultural plans after a public hearing and approval by Cabinet (Oberlander & Smith, 1993, p. 361). After “over 300 information meetings and public hearings,” a total of 4.7 million hectares of agricultural land was placed in this reserve (Runka, 2006, p. 3; Stobbe, 2008, p. 16). Ultimately, while the creation of this land use planning tool was hierarchical in nature, it was also a by-product of significant collaboration and consultation efforts with various governments, agencies and interests.

The mandate of the *Act* “was not to balance competing land uses, not to negotiate conditions under which one might use farmland for other purposes, but to

¹⁶ Only parcels with CLI ratings of one to four, sizes equal to or greater than two acres, and having a farm classification through B.C Assessment or municipal zoning, were included in the ALR (Stobbe, 2008, p. 16).

¹⁷ Prior to 2000, the Commission only consisted of one panel with representation from across the province (Green, 2006, p. 4). In 2000, the Commission’s membership was pulled from three panels, each representing an “urban/high growth” area and an “rural/low growth” area in the province (Agricultural Land Commission, 2001, p. 2). Then, in 2002, six regional panels were created with representation from the Island, South Coast, Okanagan, Kootenay, Interior and North regions of the Province (Green, 2006, p. 4).

protect farmland and to preserve the option to use that land for food production” (Runka, 2006, p. 2). Yet, some farmland owners protesting the creation of the ALR represented the *Act* as the “most dictatorial form of legislation in the history of Canada” (May & May, 1973, p. 1). The Urban Development Institute also expressed concerns about the impact of the *Act* on the development industry, arguing that the ALR will create an “artificial shortage of land for urban purposes” (Urban Development Institute, 1973, p. 1).

The creation of the Land Commission ultimately allowed the provincial government to largely distance itself from such land use politics and the day to day maintenance of farmland (City of Richmond, 2017a, p. 3). While the Province creates regulation related to ALR land, the ALC is responsible for interpreting, applying and enforcing such ALR regulations (City of Richmond, 2017a, p. 3). In order to remove, add, subdivide or use ALR for non-farm use, an application is first submitted to the local government or regional district (Hanna, 1997, p. 167). If approved, an application can then be submitted to the Commission where an applicant receives a hearing (Hanna, 1997, p. 167). This hearing results in either the approval, conditional approval or rejection of an application (Hanna, 1997, p. 167). If approved by the Commission, re-zoning then has to occur at the local government level and a public hearing is held (Local Planner, personal communication, 2019). The decisions of the Committee at this time could only be appealed to the provincial advisory Environment and Land Use Committee (ELUC) with the support of two Commissioners (Newman et al., 2015, p. 103).¹⁸ As argued by Jackson and Holden, the multiple scales of government and intergovernmental hierarchy involved in the ALR exclusion approval process, ultimately, provided a “safety net” in a B.C context, protecting agricultural land from non-farm uses (Jackson and Holden, 2013, pp. 4860-4862). However, as will be shown later, such hierarchy in some instances also undermined ALR protection efforts by allowing higher order governments to exclude ALR land despite opposition by governments of lower scales.

In the early years, the Commission took an “activist approach to integrating agricultural promotion with land protection” as it had the ability to purchase and lease

¹⁸ The ELUC was created by the Social Credit Government in 1971 through the *Environment and Land Use Act* to “increase public awareness of the environment” and to “ensure that environmental concerns were fully considered in the administration of land and resource development” (MemoryBC, n.d., “British Columbia. Environment and Land Use Committee. Secretariat”).

land to farmers (Stobbe, 2008, p. 17). 8,000 hectares of farmland, purchased for \$10,974,000, were used for this purpose (Stobbe, 2008, p. 17). Furthermore, income support packages for farmers, like the Province's Farm Income Assurance Program, which paid "a subsidy based on the cost of production," were provided during these early years (Hanna, 1997, p. 167; Pond, 2009, p. 247). Initially, the Commission also had the "secondary objectives" of establishing a green belt as well as industrial, urban and park land reserves through land purchases (Smith, 2012, "The Land Commission Act"). These secondary objectives allowed the Commission to take a more holistic approach to land protection in the region, recognizing the interconnected nature of land uses and the significance in insuring land availability for different uses as a lack of land for one use drives speculation and pressures on another.

Then, in 1975 the Social Credit party came into power, which brought this "activist period" for the Commission to a close (Stobbe, 2008, p. 17). Their passage of the *Land Commission Amendment Act*, in 1977, resulted in significant funding cuts for the Commission, the loss of the Commission's ability to purchase land, the removal of its "secondary objectives" and a change in the Commission's name to the Agricultural Land Commission (ALC) (Smith, 2012, "The Land Commission Act"; Stobbe, 2008, pp. 17-18). The ALC had a "new role of agricultural protector instead of agricultural promoter" (Smith, 2012, "The Land Commission Act"; Stobbe, 2008, pp. 17-18). Appeals of ALC exclusion decisions could now also be made directly to the Minister of Environment and the Cabinet (Stobbe, 2008, pp. 17-18). While the government argued that "it would be undemocratic for an individual not to have this recourse," others saw this change as a step backwards for farmland protection (Garrish, 2002/2003, p. 45; Stobbe, 2008, pp. 17-18). They argued that "an appeal could proceed against the wishes of the ALC and municipalities and that the fairness and consistency in administering the ALR could be jeopardized by political interference" (Garrish, 2002/2003, p. 45; Stobbe, 2008, pp. 17-18). These fears were proved out as this change resulted in over 3,000 exclusion applications being filled annually with the ALC and some controversial provincial Cabinet approvals (Stobbe, 2008, p. 18). A provincial recession resulted in further reductions in the ALC's funding from over \$3,629,127 in 1976 to \$785,681 in 1984 (Stobbe, 2008, p. 18). In 1988, golf courses were also approved as an "outright use" in the ALR by the Social Credit Party (Stobbe, 2008, p. 18). The Party argued that they would provide "buffers between residential uses and agricultural uses" (Stobbe, 2008, p. 18). By

November 1991, 181 golf course developments, many including “residential and resort development,” were proposed on 8,400 hectares of ALR land (Campbell, 2006, p. 14). These proposals indicated that golf courses potentially allowed for an increase in residential development of ALR land rather than serving as a “buffer” between agricultural-residential uses.

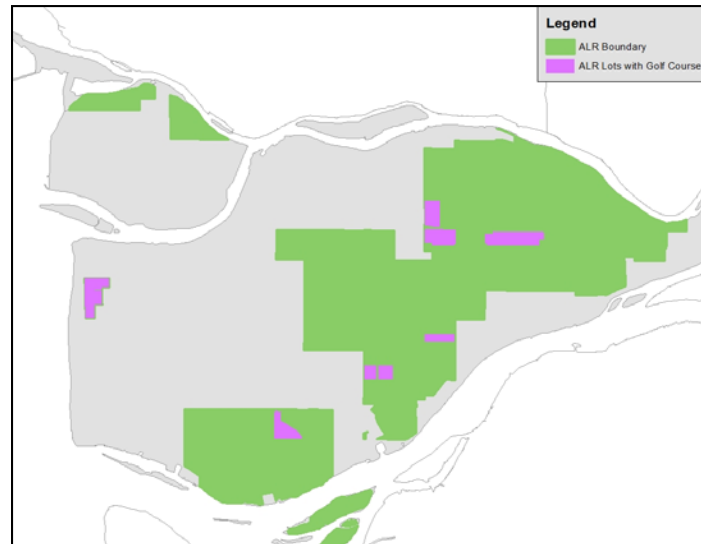


Figure 4.2. Golf Courses on ALR Land in Richmond, B.C.

Note: Data for City boundaries from Metro Vancouver (2017a), for ALR boundaries from the Agricultural Land Commission (2019b), and for golf courses from the City of Richmond (2019f)

In 1991, the newly re-elected NDP government placed a moratorium on golf courses but 89 proposals were “eventually allowed to proceed, subject to local government approval and conditions set by the Commission” (Campbell, 2006, p. 14). In Richmond alone, eight of the City’s ten golf courses are located on ALR Lands as shown in Figure 4.2. In 1993 the NDP also passed the *Cabinet Appeals Abolition Act* so that Individuals could no longer appeal ALC decisions directly to Cabinet, but rather the Province could now “consider applications if they were deemed to be of provincial interest” (Stobbe, 2008, pp. 18-19). However, appeals could also still be made to the courts on legal grounds (Patterson, 1998, p. 737). Ultimately, from 1974, when the ALR’s boundaries were set to 1993, 88% of exclusion applications made by governments were successful while only 30% of applications made by individuals were approved (Hanna, 1997, pp. 168-169; Stobbe, 2008, p. 19).

Then, in 1994, amendments were made to the *Agricultural Land Commission Act* “to reflect and promote the importance of local government in agricultural planning”

(Campbell, 2006, p. 14). Now, the ALC had the ability to “delegate some decision-making to local governments, as long as agricultural plans and bylaws supportive of agriculture were in place” (Campbell, 2006, p. 14). Although, since its inception only the Fraser-Fort Regional District along with the B.C. Oil and Gas Commission have had such agreements in place with the ALC (Agricultural Land Commission, 2019c, p. 28). This is likely a reflection of increased speculative pressures on ALR lands in Metro Vancouver and the susceptibility of local governments to such pressures. The ALC’s “role in reviewing local plans and bylaws was formalized” as well by the 1994 changes (Campbell, 2006, p. 14). The *Farm Practices Protection Act* was later introduced in 1996, preventing “municipalities from unduly restricting the sometimes messy, noisy business of farming, which can offend nearby residents” (Campbell, 2006, p. 14). In 1999, the *Agricultural Land Commission Act* was also amended to “enshrine the preservation of agricultural land as an overriding ‘provincial interest’ and to provide clear guidelines to help decision-makers balance competing interests when they consider removing land from the ALR” (Campbell, 2006, p. 16). If “provincial interest” consideration was invoked, public hearings in six regions of the province now had to be held to ensure public input (Campbell, 2006, p. 17).

The Gordon Campbell led Liberal government subsequently came into power in 2001 and in 2002 turned the one, seven-person ALC panel into six, three-person regional panels (Stobbe, 2008, p. 19). At this time “more responsibility for local-land use planning was devolved to local governments” in an attempt to make decision making “regionally responsive” (Stobbe, 2008, p. 19). However, concerns were raised about the increased susceptibility of Commissioners to local development pressures, conflicts of interests and “their lack of provincial perspective” (Stobbe, 2008, pp. 19-20). Other groups like the BC Food Systems Network, “representing farmers, food producers, health promoters and community food organizations around British Columbia,” raised concerns about a lack of public input and transparency in regard to these changes (BC Food Systems Network, 2013, p. 30).

Furthermore, ALC’s 2005 service plan introduced the idea of “community need” (Campbell, 2006, pp. 8-9, 18). The Committee could now potentially exclude a 10th of a percent of ALR land, over a three-year period, or less than 2%, based on “community need” (Campbell, 2006, pp. 8-9, 18). Campbell has argued that the new “community need’ language in the service plan replicates the vagueness that the ‘provincial interest’

revisions to the *Act* were intended to correct” (Campbell, 2006, p. 17). The plan gives “a great deal of latitude to the Commission to place other values ahead of agricultural values in making its decisions” (Campbell, 2006, p. 18). In other words, a contradictory system has been created where the “provincial interest” prioritizes agricultural values and “community need” allows for other values to supersede agricultural ones. In this context, “it’s far easier to remove ALR land for a minor business interest using ‘community need’ language in the service plan than it is to remove land for a public power project or highway in the “provincial interest”” (Campbell, 2006, p. 19).

Consequently, increased exclusion, subdivision and non-farm use applications and approvals were seen during this period (Stobbe, 2008, p. 20). For example, between April 1, 2002 and March 31, 2005, 70.5% of exclusion applications were approved by the ALC (Green, 2006, p. 4). Then, in May 2014 the Liberal Government’s Bill 24 amended the *Agricultural Land Commission Act*, dividing the ALR into two Zones (West Coast Environmental Law, 2019, para. 9). The Commission was now required to consider “socio-economic ‘values’” in the applications from Zone two, which covered the interior, Kootenay and Northern BC regions (West Coast Environmental Law, 2019, para. 9). During the period of successive Liberal governments since the early 2000’s, economic considerations, therefore, played an increasingly prominent role in the administration of the ALR, leading to a high ALR exclusion success rate. Such exclusions, in turn, allowed for further conversion of agricultural lands to non-farm uses. This is in contrast previous and subsequent NDP governments, who were more likely to take policy action intended to prevent such conversion from occurring. Although, there have been exceptions when NDP governments were willing to allow ALR exclusions when it suited their needs and meet their conditions. Furthermore, the success of NDP policies in actually protecting against the non-farm use of ALR land has also sometimes been undermined by the Party’s urban-centered policies.

In 2017, the NDP came back to power after an extended period of Liberal rule. The following year, the Foreign Home Buyers Tax was increased from 15% to 20% and the Speculation tax was introduced to reduce speculation in the urban housing market (Chan, 2018a). However, these taxes were not applied to farmland, resulting in the increased appeal of agricultural land for development and rising farmland prices (Chan, 2018a). In 2016, before the introduction of the Foreign Home Buyer’s Tax, a “typical Richmond farmland acreage was worth about \$378,000 per acre” (Chan, 2018a). Two

years later, the “same type of property in the same area sold for about \$1.1 million per acre” (Chan, 2018a). These skyrocketing prices illustrate the tendency for siloed policy creation between urban and agricultural areas in B.C. and the dangers of creating uncoordinated policies between urban and agricultural areas within cities.

The NDP tasked Lana Popham, the newly appointed B.C. Minister of Agriculture with “Revitalizing the Agricultural Land Reserve (ALR) and the Agricultural Land Commission (ALC)” in January 2018 (British Columbia Ministry of Agriculture, 2018a, p. 1; Horgan, 2017, p. 73). Consultation was undertaken as part of this initiative, which involved a background discussion paper, regional meetings with relevant stakeholders and an online public survey (British Columbia Ministry of Agriculture, 2018a, pp. 2-3). The objectives of this process included the preservation of farmland as well as “strengthen[ing]” the ALR and ALC governance (British Columbia Ministry of Agriculture, 2018a, p. 2)

Key concerns that emerged as part of this process included increased farmland costs and the perception that local governments “do not value ALR lands and support development” (British Columbia Ministry of Agriculture, 2018a, p. 7). Respondents also commented on the “lack of regional or long-term planning to ensure ALR land remain in the ALR” (British Columbia Ministry of Agriculture, 2018a, p. 7). Many participants felt that “the Act establishing the ALC should be strengthened, while the ability of political parties to enact changes should be reduced” (British Columbia Ministry of Agriculture, 2018a, p. 9). Furthermore, many believed that the ALC should be given “additional power related to enforcement and compliance” (British Columbia Ministry of Agriculture, 2018a, p. 9). Almost 80% of online submissions were also supportive of stronger residential use regulations involving the size, siting and number of residential homes as there was no consistent province-wide legislation on these issues (British Columbia Ministry of Agriculture, 2018a, p. 19; Union of British Columbia Municipalities, 2018, p. 5). In terms of who should regulate residential uses in the ALR, there was an almost even split between those who felt that such regulation should solely be the responsibility of the ALC (35%) and those who believed that the ALC, provincial government and local governments should all be responsible (36%) (British Columbia Ministry of Agriculture, 2018a, p. 21). Online respondents also stated that “both proactive (e.g. awareness and education) and reactive (e.g. fines and penalties) regulatory mechanisms are required to

reduce unauthorized land uses in the ALR” (British Columbia Ministry of Agriculture, 2018a, p. 25).

As a consequence of this feedback, the final Committee Report to the Minister of Agriculture was published in December 2018 (British Columbia Ministry of Agriculture, 2018c, p. 1). The report noted that prior to 2010, the “ALC was the driving force behind regulatory change” (British Columbia Ministry of Agriculture, 2018c, p. 31). Yet, “deregulation initiatives in 2002 resulted in detailed ALC policies being made into highly simplified, unclear and increasingly more permissive regulation” that only “peripherally involved the ALC” (British Columbia Ministry of Agriculture, 2018c, p. 31). These changes “were driven by a desire to allow other non-farm economic opportunities in the ALR” (British Columbia Ministry of Agriculture, 2018c, p. 31). As a result, the report recommended that the ALC once again be “at the table” both “early and regularly” when creating ALR legislation or regulation (British Columbia Ministry of Agriculture, 2018c, pp. 29, 33).

Ultimately, the Horgan NDP government introduced Bill 52 in November 2018, stating that “the old government let wealthy speculators drive the price of farmland out of reach for young farmers” (British Columbia Ministry of Agriculture, 2018b, p. 1). In contrast, the NDP government was stated to be “protecting farmland in B.C. to ensure land is available now and for future generations of farmers” (British Columbia Ministry of Agriculture, 2018b, p. 1). Yet, the BC Farmland Owners Association (BCFOA), representing approximately 350 farming families with about 15,000 acres of farmland, said that the consultation process with farm owners was “inadequate” and “rushed” (Chan, 2018b; Green, 2018). The group argued that “for many farmers, ‘the only way to make money’ is by having the family work and live on the land” in intergenerational living arrangements with “close to seven people per family” residing in a dwelling (Gill as quoted in Green, 2018). This group hired a lobbyist who targeted “largely South Asian MLA’s in the NDP government” (Local Councillor, personal communication, 2019). The BC Liberal Caucus also “voted against the bill in second reading” and the BC Blueberry Council sent a letter to Popham opposing Bill 52 and calling for further consultations” (Green, 2018, para. 22). Such lobbying efforts reflect the challenges of enacting policy change in an MLG environment when interests and politics diverge and when private interests can exert influence at multiple scales of government.

Despite this opposition, Bill 52 was approved on February 22, 2019, marking a shift back towards more centralized ALR governance. The passage of this Bill resulted in significant changes, including the reinstatement of a one zone ALR system (Minister of Agriculture, 2018d, pp. 1, 4). A provincial limit of one dwelling unit per lot with a maximum farmhouse size of 500 m², excluding garage, was also created (Agricultural Land Commission, 2019d, “The ALC Act and ALR Regulations”; Minister of Agriculture, 2018d, pp. 1, 4; Pacific Land Group, 2019a; City of Richmond, 2018e, p. 2). However, exemptions that “would support farming” are still permitted when approved by the local government and ALC (Agricultural Land Commission, 2019d, “The ALC Act and ALR Regulations”; Minister of Agriculture, 2018d, pp. 1, 4; Pacific Land Group, 2019a; City of Richmond, 2018e, p. 2).¹⁹ Bill 52 also reduced the maximum area from which “soil is removed or on which soil is placed” for residential construction to 1,000 m², from the previous 2,000 m² limit (Agricultural Land Commission, 2019d, “The ALC Act and ALR Regulations”; City of Richmond, 2010, p. 4). Yet, there are no provincial restrictions on the placement of a principle residence or accessory residential uses on a lot (ALC Planner, personal communication, 2019).

Consultations for the proposed NDP *Landowner Transparency Act* were also recently completed as part of the provincial governments “30-Point Plan for Housing Affordability” (Province of British Columbia, n.d., para. 1, 6). If passed, this *Act* would “collect information about beneficial ownership of land in a public registry” to address the problems of tax evasion, fraud, and money laundering (Province of British Columbia, n.d., para. 3). These issues have also impacted dwellings on ALR lands (Local Councillor, personal communication, 2019)

The *Agricultural Land Commission Amendment Act* was also introduced in March 2019 and is currently in its third reading in the BC Legislature. If approved Bill 15 would remove the regional ALC panels (West Coast Environmental Law, 2019; Pacific Land Group, 2019b). Instead, individuals from different “administrative regions” of the province

¹⁹ Existing houses larger than this maximum along with those that already had permits in place before February 22, 2019 and “substantially began” construction of the foundation “on or before November 5, 2019” will be grandfathered in (Minister of Agriculture, 2018d, pp. 1, 4; Pacific Land Group, 2019a; City of Richmond, 2018e, p. 2). Originally, the concrete foundations needed to be in place when the Bill was adopted for the grandfathering of larger houses above 500 m² to occur, but after pressure from farmland owners an amendment was made pushing the deadline to November. Only Green Party MLA Andrew Weaver voted against this amendment (Minister of Agriculture, 2018d, pp. 1, 4; Pacific Land Group, 2019a; City of Richmond, 2018e, p. 2).

would be appointed to a single Commission (West Coast Environmental Law, 2019; Pacific Land Group, 2019b). This change would potentially result in greater consistency in dealing with applications while still ensuring regional representation (West Coast Environmental Law, 2019; Pacific Land Group, 2019b).

Furthermore, while individuals can currently submit exclusion applications, Bill 15 would change this requirement. Farmland owners would have to first apply to their local government, who would then submit approved applications to the ALC on the landowner's behalf (West Coast Environmental Law, 2019; Pacific Land Group, 2019b; Leyne, 2019). In this scenario technically only Local Governments, First Nations and the ALC could apply to remove land from the ALR (West Coast Environmental Law, 2019). This change "insulates the Commission from owners of ALR land who have non-farm ideas for their property" and "fobs off some responsibility to local governments" who now have to pursue applications themselves and "face all the arguments that usually erupt" (Leyne, 2019, para. 13-14). While the Province argues that this change is intended so that "local governments or First Nation governments can integrate exclusion applications into long range planning projects and policies," BC Liberals argue that "this Bill goes too far in eroding the fundamental rights of private property owners" (West Coast Environmental Law, 2019; Pacific Land Group, 2019b). BC Liberal MLA Rich Coleman even compared "the way farmers are being treated to 'people whose rights were taken apart and away from them in the 1940s,'" essentially comparing new laws aimed at protecting ALR land to "actions committed by governments against Jewish citizens in the 1940s" (Coleman as quoted in Press Progress, 2019). Although, Coleman later apologized for his comments over Twitter (Press Progress, 2019).

This history of Provincial policy creation impacting ALR lands ultimately shows that private and economic interests have had significant impacts on the creation of policies to protect agricultural lands from non-farm purposes. This review also illustrates the limits of policy creation and change in a non-coercive MLG framework where regulatory responsibility, for potentially politically problematic decisions, can be passed to other scales of government. Although, a turn-over in the political party in power can result in significant policy changes when political interests favor agricultural land protection and when significant political capital is present to push through such policies. ALR policies have, as a consequence, largely reflected the politics of the day and the political interests of those in power.

4.3. Metropolitan Policies Impacting Non-Agricultural Development of B.C.'s ALR

For decades one of the guiding principles of regional planning in Lower Mainland has been to protect agricultural land from non-agricultural uses (McDougall et al., 2017, 6). The District has even developed tools, like the Urban Containment Boundary, to prevent sprawl onto agricultural lands (McDougall et al., 2017, pp. 16, 21). Yet, Metro Vancouver has had to rely on “moral persuasion” to achieve such aims, given that the District “provides a mechanism for agreement without a mechanism for enforcement” (McDougall et al., 2017, p. 39; Tomalty, 2002, pp. 434, 443-444). Furthermore, the District is not directly involved in the creation of policies related to residential and accessory residential development on ALR lands.

However, Metro Vancouver does provide comments on ALR applications submitted to the ALC (Metro Vancouver, 2018d, p. 1). The District also act in an advocacy and advisory capacity, attempting to increase cooperation and coordination around the ALR. The Region further conducts research, creates education initiatives and provides funding for agricultural programs. For example, in 2010 Metro Vancouver published a report addressing “local government policy options to protect agricultural land and improve the viability of farming” (Metro Vancouver, 2010, ii). In 2010 and 2011 the Metro Vancouver Board also requested that the Province “go beyond just providing guidelines” and establish enforceable regulatory limits on farmhouse size, residential footprints and setbacks because member municipalities faced challenges in creating such regulation themselves (Metro Vancouver, 2018d, p. 5).

Then, in September 2017, under the Horgan led NDP, a “Memorandum of Understanding between Metro Vancouver and the Agricultural Land Commission” was endorsed to strengthen cooperation between the two entities in regard to the implementation of *Metro 2040* (Metro Vancouver, 2017b, p. 1). Such an action was undertaken given the regional district’s recognition that “successful implementation of the regional strategy to protect the supply of agriculture land and promote agricultural viability in Metro Vancouver 2040: Shaping our Future (Metro 2040) is dependent on an effective ALC and a defensible ALR” (Metro Vancouver, 2018d, p. 1). In other words, it was recognized that in order to implement the regional “Vision” “on the ground,” intergovernmental cooperation was required not just between cities but across scales of

government, as land use planning could not be undertaken in local-central governmental siloes. An example of a project, which stemmed from this Memorandum, was a 2018 report on soil and the placement of fill in the ALR (Metro Vancouver, 2017b, p. 1; Metro Vancouver, n.d.).

A similar Metro Vancouver study has not been undertaken on regulation related to residential and accessory residential development of ALR lands. However, Metro Vancouver has provided feedback to the ALC on this topic as part of recent public consultations held to “revitalize” the ALR (Metro Vancouver, 2018d, p. 1). In this document, Metro Vancouver concludes that “stronger provincial legislation with clear policies,” which is seen as being “essential for a multi-jurisdictional approach to farmland protection” given that in “some circumstances the problems have become insurmountable for local governments” (Metro Vancouver, 2018d, p. 6). Specific recommendations provided to achieve such increased central government involvement include: introduce provincial limits on farm home plate size; change property tax rates so that “non-farm residential and commercial activities located in the ALR are paying similar tax rates to those located in the urban areas”; and establish “a two-tier farm classification benefits system” where those making above and below \$10,000 in gross farm income pay different tax rates (Metro Vancouver, 2018d. pp. 7-9). Such calls for provincial government action echo those made by the District in 2010 and 2011. They also support arguments made by authors like Frisken that despite being able to create land use policies themselves, municipalities are sometimes unwilling to use this authority (Frisken, 1994, p. 32). Instead, local governments sometimes want or need to simply implement policies created by higher order governments as they struggle to create effective policies themselves in an MLG context with all its associated challenges related to conflicting interests and politics. Furthermore, such central government action can help to ensure policy consistency across municipalities in the absence to a regional strategy addressing residential and accessory residential uses on ALR lands.

In recognition of the impacts of industrial land use pressures in the region on ALR lands, Metro Vancouver also created an Industrial Lands Strategy Task Force in December 2018 (Mitham, 2019). The Task Force has nine voting members, representing various member municipalities (mayor Malcom Brodie as Richmond’s representative) (Mitham, 2019). Other non-voting members included representatives from the ALC, the Port of Vancouver, the BC Chamber of Commerce, the Urban Development Institute,

and industrial developers (Mitham, 2019). As part of consultation work conducted for this task force, several recommendations were presented including: “protect remaining industrial lands”; “intensify and optimize” existing uses on industrial lands; “bring the existing land supply to market,” allowing existing industrial sites to be developed; and “ensure a coordinated approach” to economic and land use planning between adjacent regional districts (Metro Vancouver, 2019, p. 4). The final Regional Industrial Lands Strategy’s targeted completion date is early 2020 (Metro Vancouver, 2019, p. 5).

Not only is Metro Vancouver calling for increased provincial leadership in policy creation, but at the same time it is also advocating for greater inter-municipal, regional-provincial and inter-regional cooperation and policy coordination to allow for the successful implementation of the regional “Vision.” These recommendations reflect Metro Vancouver’s recognition of the continued intergovernmental hierarchy present in the B.C context, where different scales of government have varying degrees of authority and ability to implement strong policy that supports the regional “Vision” in the face of conflicting interests and land uses. The District also recognizes the need for increased provincial involvement in regional land use planning in such a context, where local governments are sometimes unable to create policies limiting the non-agricultural use of ALR land. Such involvement would ensure policy consistency in regard to uses on ALR land throughout the region. However, these calls for increased centralization of ALR policy does not preclude the need for intergovernmental cooperation. Nor, as the District has recognized, does such centralization prevent the possibility of collaboration between government scales. Ultimately, while the regional government may be the weakest link in the jurisdictional chain in terms of policy creation to limit residential and accessory residential uses of ALR land, it has been the most consistently willing to protect agricultural land from non-farm uses within its jurisdictional limits, as such protection has been a cornerstone of the regional planning “Vision” for decades.

4.4. Municipal Policies Impacting Non-Agricultural Development of B.C.’s ALR: The Case of Richmond

Unlike the federal and provincial government, whose legislative authority is entrenched in the *Constitution*, municipalities in British Columbia derive their powers, legislatively, from the provincial government, which can “revoke” or alter these powers as it sees fit (Curry, 2018, pp. 110, 112). For instance, the authority to zone land use

was granted to municipalities through the *Town Planning Act* in 1925 (Garrish, 2002/2003, p. 29). Furthermore, while the provincially legislated *Local Government Act* and Community Charter have “increased the power held by municipalities,” municipal policies are still unable to contradict provincial or federal ones (Smith & Stewart, 2009, pp. 185, 188, 195). Despite this hierarchical relationship, in the MLG context of the ALR, municipalities do have considerable powers to regulate residential and accessory uses. This case study of the Richmond, B.C., provides an opportunity to explore the creation of policies within this framework in the face of competing governmental and non-governmental interests.

Richmond was incorporated as a township in 1879 and was first settled by European farmers (Patterson, 1998, p. 736). By 1930, half of Richmond’s population “still lived on farms that totaled over eight thousand hectares” and only five percent of its land base was in urban uses (Patterson, 1998, p. 736). The City’s “boggy soils facilitated the development of berry production and the region became renowned for high-yielding blueberry and cranberry crops” (Newman et al., 2015, p. 104). The City’s first Councillors were themselves farmers, reflecting the unique and significant role of agriculture in the City’s history (City of Richmond, 2002, p. ii). During this period, Richmond served as a local food source for Vancouver (City of Richmond, 2002, p. ii). Through an interurban rail line, the “Sockeye Limited,” produce and milk were transported from Richmond farms to consumers in Vancouver (Newman et al., 2015, p. 104). Richmond before the 1950’s therefore experienced a “core-periphery” model of development like many rural regions in the country (McAllister, 2004, p. 144). In this case, Richmond served as a rural periphery to the community of Vancouver, providing raw goods and resources to the urban core.

After World War Two “vets wanted to come home and settle down on a farm with a white picket fence, so [Council] subdivided whole areas of Richmond into 1.6-acre farm parcels” (Local Councillor, personal communication, 2019). In 1949, in an effort to regulate this development, the municipal government passed a zoning bylaw, “which supported the conversion of larger farms to housing subdivisions and smallholder tracts” (City of Richmond, 1962 qtd. Newman et al., 2015). This bylaw converted much of the municipality’s land to residential use, facilitating the process of “urban sprawl” and accompanying process of suburbanization in the region (City of Richmond, 2002, p. 3; Newman et al., 2015, p. 104). In 1955 alone there were thirty-five separate subdivision

projects underway in the City (Newman et al., 2015, p. 104). By 1956, with a population of twenty-six thousand, a reduced agricultural land base of sixty-four hundred hectares, and an urban land base now reaching twenty-five hundred hectares, or 20%, Richmond had become a suburb (Patterson, 1998, p. 736). Urban and agricultural uses were “thoroughly mingled in large parts of the municipality” and only 451 operating farms remained (Patterson, 1998, p. 736). Such development of farmland in the City of Richmond was noted in the 1962 LMRPB report, *Land for Farming*, which argued that the “basic ability of our better soils to provide a reasonable income from agriculture” means that the “preservation” of farmland can be of “mutual concern” for both “the city dwellers and the farming communities” (Lower Mainland Regional Planning Board, 1962, p. 8). However, this report did warn that “the time inevitably comes when the difference in land values is too great for mortal man to resist unaided” (Lower Mainland Regional Planning Board, 1962, p. 8).

In response to the loss of farmland and increased concerns about its perseveration, a new NDP provincial government created the ALR in 1973, which included 5,800 ha of agricultural land from Richmond (City of Richmond, 2002, p. 2; Newman et al., 2015, p. 102). However, despite the creation of the ALR, pressure to convert such land to non-agricultural uses, from farmers, developers and other private interests continued. This is especially true given that it has been “easier for monied interests who want to get their land out of the reserve to hire the technical people to prove their case,” while is it “difficult for citizens groups with limited resources [who are opposed to these exclusions] to carry the load of fighting with the developers” (Steves, 1975, pp. 1-2). For example, in 1975 Nu West Development Corporation Group hired seven consultants to assist with its ALR exclusion application in Richmond, which was ultimately successful (Steves, 1975, pp. 1-2). In contrast, a local advocacy group S.P.E.C only had one person fighting against this exclusion because a lack of funds (Steves, 1975, pp. 1-2). As part of a report done by S.P.E.C and presented to the Greater Vancouver Regional District, in May 21, 1975, speculation of farmland in Richmond was referred to as a “game” with the three main “players” being individual speculators, farmland owners and real estate companies (Griffin, 1975, p. 1). These “players” push for farmland exclusion, in search of profit, despite Richmond having “both industrial and residential land that could be developed” (Griffin, 1975, p. 1).

Local governments, ultimately, have the ability to regulate the “siting and massing of residential and agricultural buildings and structures” on ALR lands, but such regulations cannot contradict policies of higher order governments (City of Richmond, 2018b, p. 12). In 1989, the City exercised this authority through the adoption of zoning bylaw no. 5300, establishing a 40 m setback for both dwellings and accessory buildings on ALR lands (City of Richmond, 2010, pp. 3-4; Local Councilor, personal communication, 2019). At the time local Councilor Harold Steves, a long time Richmond resident and farmer, member of the Farmland Defense League of B.C., former NDP MLA and one of the original architects of the ALR, suggested also setting a 3,500 m² maximum farmhouse size limit on ALR lands “but was told no-one would want to build big houses there” (Local Councilor, personal communication, 2019). Subsequently, in February 1992 an amendment to the zoning bylaw was introduced to allow a larger 50m setback with “no mention of accessory residential buildings” (City of Richmond, 2010, p. 3; Local Councilor, personal communication, 2019). Although, City staff said that the same setback for accessory buildings was implied (City of Richmond, 2010, p. 3; Local Councilor, personal communication, 2019). In September 28, 2009 another proposal to set a maximum farmhouse size limit “was considered but abandoned because of opposition” mostly from farmland owners and other private interests (City of Richmond, 2010, p. 3). The Agricultural Advisory Committee also failed to come to a consensus in terms of pursuing the regulation of farmhouse size limits at this time (City of Richmond, 2017a, p. 2). This Committee, consisting on nine members, five of which were from the Richmond Farmers Institute, was created by the City to provide advice on agriculture related issues (Local Councilor, personal communication, 2019). During this period, other municipalities like Surrey, Pitt Meadows, and Mission also tried to create farmhouse size limits, but similarly failed to do so because of local opposition (City of Richmond, 2017a, p. 2).

At this time, “there were three or four problem properties with expanded setbacks” with one of these properties having a tennis court and another having an illegal residential suite (Local Councilor, personal communication, 2019). As a result, on November 16, 2009 a “housekeeping amendment” was made to by-law 8500, “making it clear that residential buildings and structures (including swimming pools, tennis courts and septic fields) had to be included within 50m (164 feet) of the road” (Local Councilor, personal communication, 2019). No concerns were expressed by landowners at the

public hearing as they “were only interested in building big houses” (Local Councilor, personal communication, 2019). The City also laid charges against the illegal suite owner, but Councilors were “accused of racism” for doing so despite “the fact that the person charged with breaking the by-law with a residential suite was white” (Local Councilor, personal communication, 2019).

On December 22, 2009, the Planning Committee referred the bylaw amendment back to staff and an unofficial “Working Group,” separate from the AAC, was created to provide advice (City of Richmond, 2010, pp. 6-7; City of Richmond, 2017a, p. 2; Local Councilor, personal communication, 2019). This “Working Group” had seven members chosen by staff, but two additional members were invited to participate by a local realtor and original member of the Working Group, “without the permission of Council” (City of Richmond, 2010, pp. 6-7; Local Councilor, personal communication, 2019). With the addition of these two members, the “Working Group” was now comprised of mostly farmland owners and developers who advised that the bylaw changes be rescinded (City of Richmond, 2010, pp. 6-7; Local Councilor, personal communication, 2019). Eventually, the amendment “went to Council and about 100 landowners and friends of landowners showed up to the Council meeting” (Local Councilor, personal communication, 2019). As a result of these local development pressures, on October 12, 2010 Council “backed down” and voted 7-2 in favor of rescinding the 2009 bylaw “requirement that accessory residential uses and septic fields must be in the front 50m of the property” (Local Councilor, personal communication, 2019). By allowing “potential accessory buildings’ estimated at 3,000 square feet and septic fields to be built on the farm portion of the property” instead of 50m from the road, “houses could be a minimum of 3,000 sq. ft. larger,” which “almost doubled the size of houses on ½ acre lots” (City of Richmond, 2010, p. 8; Local Councilor, personal communication, 2019). This regulatory change resulted in a “tremendous surge in the construction of big houses” on ALR lands in Richmond (Local Councilor, personal communication, 2019). City staff also “clearly showed [that] there could be 41,000 sq. ft. houses” potentially built on ALR lands but “Council voted to do nothing” (City of Richmond, 2010, p. 8; Local Councilor, personal communication, 2019).

Thus, the only regulatory limitations in place prior to 2017 was that the floor area for all buildings on a parcel could not exceed a 0.6 floor area ratio (FAR) unless a greenhouse was located on a lot, in which case the permitted floor area ratio was 0.75

FAR (City of Richmond, 2017a, p. 3). Farmhouses also had to have a 50m setback but accessory residential buildings or septic fields could be a further 50m from the dwelling (City of Richmond, 2017a, p. 3). Finally, only one house was allowed on parcels smaller than 8 ha (City of Richmond, 2017c, p. 6).²⁰ While in 2011, the City of Richmond requested that “the Province establish regulations in the *Agricultural Land Commission Act* rather than establish guidelines,” which are “unenforceable and may be inconsistently applied,” the Province did not do so at the time (City of Richmond, 2017a, p. 3). Instead the B.C. Ministry of Agriculture released the 2013 “Guide for Bylaw Development in Farming Areas,” which were later updated in 2015 (City of Richmond, 2017a, p. 3). The reasons for the Province’s refusal to create such enforceable regulations are explored in the following chapter.

Partially due to these inadequate regulations, development pressures continued to build on the City’s ALR lands, and their costs continued to rise (Newman et al., 2015, p. 101; Stobbe et al., 2009, p. 393). Over the last 20-30 years, the expectation that the ALR will one day be available for residential development, has led speculators to buy much of this land (City of Richmond 2002, p. 52). For example, while ALR land is valued at between \$4,000-5,000 per acre, if rezoning were to occur BC Assessment numbers place the value of these parcels at upwards of \$1,000,000 per acre (City of Richmond, 2002, p. 52). Furthermore, average ALR house sizes have increased by more than 60 percent in the past five years (Mui, 2016, para. 2). In the City of Richmond, for example, the average total floor area of farmhouses on ALR lands increased from 7,329 ft² in 2010 to 12,087 ft² in 2015 (City of Richmond, 2017a, p. 4). In 2016 a residential application was also made for a 41,000 square foot house on ALR lands, which City staff had previously warned was possible (City of Richmond, 2017a, p. 3). This house included 21-bedrooms, a swimming pool, a ping-pong gazebo and a badminton court (Brend, 2017; Tomlinson, 2016). This application was denied by the City but prompted renewed calls for regulation to limit farmhouse sizes (Brend, 2017; Tomlinson, 2016).

This trend is exemplified by a 2016 real estate guide published by New Coast Reality, operating out of Richmond (New Coast Reality, 2016, p. 6). This guide, which targeted foreign investors stated that “agricultural land possesses great potential in real

²⁰ One additional house for full time farm workers on lots 8-25 ha, 2 additional houses on lots 25-30 ha and three additional houses on lots over 30 ha were possible (City of Richmond, 2017c, p. 6)

estate investment” (New Coast Reality, 2016, p. 6). The rezoning of the Terra Nova subdivision in Richmond from “inexpensive agriculture land before 1980” into a “residential business park and business purposes” in 1988, is used as an example of how the market value of real estate can multiply after rezoning land from agricultural to residential use (New Coast Reality, 2016, p. 6). In reference such rezoning, the guide states that “even though this process consumes a lot of time and effort from the city government, the government would still opt to do it because more land for residential housing is in demand as the city population grows” (New Coast Reality, 2016, p. 6). The guide goes on to argue that even if rezoning does not occur, agricultural land is still “a good investment option” because of its low price (New Coast Reality, 2016, p. 6). It is noted that recently many investors have preferred “to purchase agricultural land in Richmond, Surrey, and Langley for the size of land they can get with the price they pay” (New Coast Reality, 2016, p. 6). The locational advantage of agricultural parcels is also touched on. The guide states that “some of the agriculture lands in Richmond (east of No.4 Rd., for example) are only 3-5 minutes driving distance to downtown Richmond” (New Coast Reality, 2016, p. 6). Ultimately, it is argued that “with a million dollars, you can purchase a big piece of land [and] build a luxurious house” with a “swimming pool [and] tennis court” (New Coast Reality, 2016, p. 6). However, “with the same amount of money you can only get a 2000-square-foot house on a 4000-square-foot lot in other areas of Richmond” (New Coast Reality, 2016, p. 6).

A 2016 Globe and Mail study also found that between August 2015 and July 2016 60%, or 73, Lower Mainland ALR purchases above \$2 million were made by investors and speculators (Tomlinson, 2016). These buyers enjoy large tax breaks “that are intended to support farming but, in effect, encourage speculation instead” (Tomlinson, 2016). These taxes are set by the Province and collected by municipalities (City of Richmond, 2017b, p. 2). For example, when a property is classified as farm, this significantly reduces property taxes (City of Richmond, 2017b, p. 3).²¹ ALR land also

²¹ As long as annual farm product sales are \$10,000 for properties smaller than 0.8 ha, \$2,500 for lots 0.8 ha to 4 ha or \$2,000 plus 5% of “the actual value of the area in excess of 4 ha” for larger properties, they can maintain a farm class status, with the associated savings in property taxes (City of Richmond, 2017b, 3; BC Chamber of Commerce, 2018, pp. 17-19). Land can be farmed or leased to meet these farm classification requirements, with these leases sometimes only having a one-year term, which discourages investments in farmland intended to increase agricultural productivity (BC Chamber of Commerce, 2018, pp. 17-19). These thresholds have remained unchanged since 1974 and as of 2016, “24% of ALR parcels in Metro Vancouver just meet the bare minimum income requirements for farm class” (BC Chamber of Commerce, 2018, pp. 17-19).

comes with savings in terms of education taxes, the Foreign Home Buyers' tax, the Speculation Tax and the provincial Transfer Tax (BC Chamber of Commerce, 2018, pp. 17-19; City of Richmond, 2017b, p. 3; Tomlinson, 2016).²² Such savings have resulted in real estate ads, which market "farm properties as hot commodities ripe for development, in a region that desperately needs more housing" (Tomlinson, 2016).²³

The Mayor of Richmond, Malcom Brodie did write to the Province in July 2016, once again asking for provincial regulation on the size and location of ALR dwellings (City of Richmond, 2017a, pp. 3-4). Such provincial legislation would address legislative inconsistencies, discouraging speculators from "leapfrogging" their proposals to municipalities like Richmond with fewer restrictions (City of Richmond, 2017a, pp. 3-4). The Christy Clark-led Liberal provincial government, later that year, stated that they were "unwilling to establish province-wide regulations at this time" (City of Richmond, 2017a, pp. 3-4). Instead the ALC would "only assist municipalities in interpreting" the Ministry of Agriculture "Guide for Bylaw Development in Farming Areas" (City of Richmond, 2017a, pp. 3-4).

Given the provincial government's refusal to regulate and the growing trend of residential and accessory residential development on the ALR, the City Council requested staff prepare a report outlining what municipal policy changes could be made to control such development (City of Richmond, 2017a). In the 2016 report, City staff prepared four possible bylaw options, which included either: adopting the Ministry of Agriculture's guidelines to control house size, farm home plate and setbacks; adopting the Ministry's guideline on farmhouse size only; adopting the Corporation of Delta's

²² Neither the 2016 Foreign Home Buyers tax, which as of 2018 increased from 15% to 20%, nor the Speculation tax, which increased from 0.5% of a property's assessed value in 2018 to 2% in 2019, targeting foreign owners and satellite families, applies to portions of properties assessed at farm (BC Chamber of Commerce, 2018, pp. 17-19; City of Richmond, 2017b, p. 3; Tomlinson, 2016). ALR parcels, regardless of classification, also receive a 50% exemption for school and hospital taxes. ALR land is also assessed at a lower value than parcels in urban areas, as these assessments are made based on the productive rather than market value of the land (BC Chamber of Commerce, 2018, pp. 17-19; City of Richmond, 2017b, p. 3; Tomlinson, 2016).

²³ Appendix D also includes an example of a real estate ad that similarly uses the ability to build a large residential dwelling with accessory residential on an ALR parcel in the City of Richmond as a selling feature

farmhouse size, farm home plate and setback limits; or only adopting Delta's regulations on farmhouse size (City of Richmond, 2017a, pp. 9-11).²⁴

Public consultation on these options took place between February 27, 2017 and March 12, 2017 (City of Richmond, 2017d, p. 2). The City received 679 responses with 74.1% being in favour of house size restrictions (City of Richmond, 2017e, p. 3). However, farmers and ALR residents were less supportive of these limitations (City of Richmond, 2017e, p. 3). Consultation was also undertaken with stakeholders such as the City's Agricultural Advisory Committee, the Richmond Farmers Institute and the Richmond Farmland Owners Association (City of Richmond, 2017e, p. 4). The AAC believed that the maximum farm house size should be set at 12,378 square feet, while the Richmond Farmers Institute wanted a 10,763 square feet limit and the Richmond Farmland Owners association wanted to use a floor are ratio instead of a maximum house size (City of Richmond, 2017e, p. 5).

Many farmland owners also argued that larger dwellings were needed for intergenerational living arrangements (Local Councillor, personal communication, 2019). However, despite this argument that larger homes for intergenerational living arrangements are necessary for the economic viability of farming, there have been no rezoning applications to date using this justification for larger farmhouses (Local Planner, personal communication, 2019). One interview participant also noted that these "big houses weren't sold to extended families or even built by extended families" (Local Councillor, personal communication, 2019). Instead, "the ability to build bigger houses" was used "as a selling point" in the real estate market (Local Councillor, personal communication, 2019). Another interview participant further noted that opposition to further regulatory limits based on the argument for multi-generational living arrangements was "an issue that the media and the public kind of grasped onto" as it was "the most simplistic and easiest to understand and perhaps the most controversial because of the racial implications" (FarmWatch Member, personal communication, 2019). Therefore, although the creation of farmland owners "self image" as a "marginalized sector" of society (Pond, 2009, p. 252) has occurred in B.C., a discourse of cultural insensitivity has also been used by farmland owners as a tool to create this

²⁴ Refer to Appendix B for further details about housing regulation applicable to ALR lands in various Metro Vancouver municipalities compared to the provincial guidelines as of March 2017.

“self-image” and to argue against further regulatory limits on farmhouse sizes. Some farmland owners in the City who, like the population of the City more generally, are largely from minority groups have accused proponents of more restrictive limits as being insensitive to the desire for intergenerational living arrangements present in certain cultures.²⁵ Unlike a defense of unhindered private property rights, such a discourse has had greater, albeit still limited, purchase in the City of Richmond. A discussion of whether such arguments have merit are outside the scope of this study but could be an avenue to explore in future academic literature. However, within the scope of this study, it is important to note that such accusations have made the development of more restrictive farmhouse size limits challenging for politicians, leading to policy compromises.

Taking into consideration feedback from these consultations, City staff recommended a set of OCP and Zoning Bylaw amendments, which were presented at Council on April 19, 2017 (City of Richmond, 2017e, p. 9). These included: creating a range of farm home plate size restrictions with the majority of Richmond lots being limited to 10,764 ft² or below; limiting house sizes to 5,382 ft² with a limit of one residential building per lot; and maintaining a 50 m setback for farmhouses (City of Richmond, 2017e, pp. 9, 12). Thus, City staff recommended the adoption of provincial farmhouse size guidelines and proposed a farm home plate limit that was substantially smaller than the Ministry of Agriculture’s proposed 21,528 ft² standard (City of Richmond, 2017c, pp. 7-8, 11, 13; Wood, G., 2018a).²⁶

Ultimately, in May 2017, City Council maintained the 50m maximum setback for primary residences and a limit of one principal dwelling per lot (City of Richmond, 2017f, p. 6). However, farm home plate limits were set at: 50% of a lots area for parcels smaller than 0.2 ha; 10,763 ft² for lots 0.2 ha to 1.0 ha; 10% of a lots area for parcels between

²⁵ As of the most up to date Census completed in 2016, 76.3% of the total municipal population is a visible minority, the highest of all B.C. municipalities and the second highest rate nationally (City of Richmond, 2019c, p. 2). The largest visible minority groups in the municipality are Chinese and South Asian, comprising 53% and 7.3% of the total local visible minority population (City of Richmond, 2019c, p. 2).

²⁶ However, exceptions were possible as additional dwellings could be built on lots 8 ha or greater for on-site workers through a rezoning application (City of Richmond, 2017e, pp. 10-11). Furthermore, houses larger than 5,382 ft² could be built if the site has been farmed for a “significant period of time,” had generated “significant agricultural income” and if a larger house was needed to accommodate farm workers in multi-generational living arrangements (City of Richmond, 2017e, p. 10).

1.0 ha to 2.0 ha; and 0.2 ha for lots 2.0 ha or greater (City of Richmond, 2017f, pp. 3-5). Furthermore, the City chose to set a 5,382 square feet limit for all residential and accessory residential buildings on lots less than 0.2 ha (City of Richmond, 2017f, p. 3, 8). For lots 0.2 ha or greater, a 10,764 square foot limit was set (City of Richmond, 2017f, pp. 3, 8). This is despite staff recommendations and land economist Richard Wozny's claim that any farmhouse size limit over 4,200 square feet, which is the average house size allowed in the City's RS1/E zone, would increase farmland prices and speculation (Campbell, 2017; Wozny, 2017, pp. 1-2; City of Richmond, 2017e, p. 7). These 2017 policy changes were presented as a "compromise" and "a reasonable maximum that will allow people (farmers) to achieve their goals" (Campbell, 2017). Ultimately, however, there was "a net loss of 50 farms in 2017 due to construction of mega homes on farmland" in the City of Richmond (FarmWatch Member, personal communication, 2019).

In February 2018, City of Richmond public consultations were held to review regulatory options to further limit residential and residential accessory development on ALR land (City of Richmond, 2018c, p. 1). The results of the public feedback indicated that while the majority of non-farmer respondents wanted a further reduction in farm home plate sizes, the inclusion of the entire septic system within the farm home plate, a house footprint limit created, and further house size reductions, the majority of farmers did not (City of Richmond, 2018b, pp. 4-5). For example, both the City's AAC and the Richmond Farmers Institute did not support further changes to bylaws limiting residential development (City of Richmond, 2018b, p. 6). Similarly, the Richmond Farmland Owners Association argued that the May 2017 bylaw changes were a "made in Richmond solution," which represented a "fair compromise" and opposed further limits (Richmond Farmland Owners Association, 2018, para. 7). The RFOA said that "this situation is creating economic uncertainty within the local farming community and putting its long-term sustainability at risk" (Richmond Farmland Owners Association, 2018, para. 10). Ultimately, the RFOA collected approximately 1,000 signatures requesting that current City bylaws remain unchanged (Hennig, 2018).

In contrast, Richmond FarmWatch called for further reductions in farmhouse and home plate sizes. Kelly Greene and Jack Trovato, member of the municipal political group Richmond Citizens Association (RCA), and former NDP MLA candidates from Richmond, also presented a 5,504-signature petition to Council on February 26, 2018

(City of Richmond, 2018b, pp. 6-7; City of Richmond, 2018d, p. 6). They requested that a 5,382 ft² size limit be set for all farmhouses in the City (City of Richmond, 2018b, pp. 6-7; City of Richmond, 2018d, pp. 6-7). Richmond FarmWatch, feeling “that the City Council, as is, was quite helpless on the issue,” also presented a similar petition to the NDP and Green parties in October 2017 (FarmWatch Member, personal communication, 2019). Given that “the overall strengthening of the ALR was really high on the [NDP] government’s list of to do’s,” both the NDP and Green parties were “very receptive to the idea” of establishing such a limit (FarmWatch Member, personal communication, 2019). All four BC Liberal MLA’s in Richmond also supported the further reduction of farmhouse sizes (Wood, G., 2018b; Wood, G., 2018c; Mackie, 2018). This recognition that reduced farmhouse size limits were needed, across party lines, reflected a convergence of interests between provincial parties in terms of protecting ALR lands from non-agricultural development. This convergence, in turn, made the creation of province-wide regulations to address this issue more likely.

During this time, the City also provided feedback to the Ministry of Agriculture as part of consultations held by the Province to “revitalize the Agricultural Land Reserve” (City of Richmond, 2018b, p. 13). The City recommended that the Province: apply the Foreign Home Buyers Tax to land assessed as farm; increase the “minimum farm income threshold” needed to qualify for farm class status; review the “tax structure for non-farmed land; create a new tax to prevent “farm properties being resold during a short period of time”; provide more “tax reductions, grants and training opportunities” for farmers; strengthen the ALC’s “enforcement actions for non-farm uses”; and once again asked the province to introduce “enforceable regulations on maximum house size, farm home plate and setbacks” (City of Richmond, 2018b, p. 13).

Then, in October 20, 2018 a municipal election was held in Richmond and across the Province. Prior to the election, the Richmond Farmland Owner’s Association had hosted a barbeque with posters on social media advertising the event as a “fundraiser” for select Councillors who had voted against further farmhouse size reductions in 2017 (Kotyk, 2018a). However, the Richmond Farmland Owner’s Association poster was later changed “to remove details about the event being a fundraiser” (Kotyk, 2018a). Also, interestingly the City of Richmond farmhouse debate was mentioned in Rise Weekly’s 2018 Greater Vancouver Municipal Elections Guide (Rise Weekly, 2018, p. 29). This media company “targets landed permanent residents and potential immigrants from

China who seek to learn and live in Canada” (Canadian Minority Media Database, 2018). It described cooperation between stakeholders to stop further farmhouse restrictions in 2017, as “a shining example” of how these stakeholders “could affect government decisions” (Rise Weekly, 2018, p. 29).

Generally, “social media and the election campaign was largely driven by this one issue” of farmhouse size restrictions, which was “extremely polarizing” (Local Planner, personal communication, 2019). After the municipal election, two new Councillors, who were supportive of farmland protection, won seats (Local Planner, personal communication, 2019). Shortly after, on November 6, 2018, the new Council proposed further reductions to the municipal farmhouse size limit (City of Richmond, 2018d, pp. 1-3; Kotyk, 2018b). These changes included: (1) setting a 500 m² maximum farmhouse size limit, including garage and residential accessory buildings, regardless of lot size; (2) creating a maximum 1,000 m² home plate size for lots 0.2 ha or larger, including the entire sewage septic system, and restricting the home plate to 50% of the total lot area for properties smaller than 0.2 ha; (3) Limiting the farmhouse footprint to 60% of the maximum farmhouse size; (4) reducing the maximum number of stories in a house from 2.5 to 2 and reducing the maximum building height from 10.5 m to 9.0 m (City of Richmond, 2018d; Kotyk, 2018b). These changes were approved unanimously at the subsequent Special Council meeting (City of Richmond, 2018d, pp. 1-3; Kotyk, 2018b). Then, on November 13, 2018, a further reduction of farmhouse sizes to 400 m², regardless of lot size, was proposed and approved 6-3 by City Council (Kotyk, 2018b). Thus, the City of Richmond’s maximum farmhouse size of 4,305 ft² is now below the provincial limit of 5,382 ft² and in line with urban areas (City of Richmond, 2017c. p. 13). Such changes ultimately reflect the impact of political turn on local policy, indicating that if political turn-over from elections can led to a convergence of interests on an issue, significant policy change or action can result. It also reflects the influence of political capital on enacting policy change.

Furthermore, the City is currently in the process of changing the membership of the local ACC, to include members from a wider variety of agricultural related backgrounds as well as “how the committee provides information to Council” (Local Planner, personal communication, 2019). In preparation for the City’s 2041 Official Community Plan updates, a review of the 2003 Richmond Agricultural Viability Strategy (AVS) is also underway (City of Richmond, 2017g, p. 3). The City, in partnership with the

Richmond Farmers Institute (RFI), ALC and the BC Ministry of Agriculture, initially introduced the Agricultural Viability Strategy in 2003, which “identified initiatives that were to be undertaken and coordinated at the local level” to support agriculture (City of Richmond, 2017g, p. 3). At the time, it was regarded “as one of the first comprehensive and innovative municipal agricultural strategies in the Province” (City of Richmond, 2017g, p. 3).

Thus, recent years have seen significant municipal policy changes at the City of Richmond. Such action occurred in response to the Province’s unwillingness to regulate residential uses, which had resulted in inconsistent policies between cities and between urban and agricultural areas within cities.²⁷ Both provincial and municipal levels of government have at times used the authority of the other to justify their own inaction. Such passing of jurisdictional responsibility was a by-product of the challenges of creating policy in an MLG context that lacked intergovernmental collaboration and policy coordination and where private and public interest groups could exert considerable influence on governments of various scales. Ultimately, this lack of cooperation and coordination was overcome in the City of Richmond due to increased public pressure and political will, resulting from an electoral turnover of local Councillors. This case, therefore, indicates that while the hierarchy present in an MLG framework can result in the passing off of regulatory responsibility between scales of government and hinder cooperation and coordination, policy action can be taken despite this discord. If political will is high enough and strong leadership is present, policy creation and change to protect agricultural lands from development can occur. In other words, hierarchy does not necessarily preclude significant policy action if there is the political will and capital needed to undertake these changes. In fact, the involvement of multiple scales of government in the policy creation process can sometimes allow for action to be taken at one scale if inaction occurs at another.

As this chapter has shown, the involvement of multiple levels of government in the governance of the ALR has historically provided both “limits as well as opportunities” (Jackson & Holden, 2013, pp. 4860-4861). While it has provided a sort of “safety net” in terms of ALR exclusion applications (Jackson and Holden, 2013, pp. 4860-4862), it has

²⁷ Refer to Appendix A for further details about significant policy changes related to ALR lands at multiple scales of government. Appendix C also includes diagrams illustrating municipal and provincial policies regarding residential and accessory residential development on ALR lands.

also sometimes allowed governments and governmental entities of higher scales to exclude ALR land against the wishes of regional and local governments. It has provided local governments the authority to create land use policies that protect agricultural lands, but has also resulted in inconsistent policy creation between, across and within municipalities or a lack of policy to restrict non-agricultural development on ALR land due the susceptibility of local governments to lobbying efforts by non-governmental organizations. It has allowed policy action to be taken at one scale of government if steps are not taken to limit the non-agricultural development of ALR land at another scale but has also allowed for the passing off of jurisdictional responsibility from one scale to another. It has provided federal, provincial, regional and municipal governments the opportunity to support the implementation of the regional “Vision” but has also allowed for the divergence of politics and interests at various scales to undermine this implementation “on the ground.” The following section will discuss in further detail the challenges of protecting ALR land from non-agricultural development in an MLG context.

Chapter 5.

The Challenges of Protecting Agricultural Land from Residential Development in an MLG Context

In British Columbia there have been several challenges in protecting ALR land from non-agricultural uses. These challenges stem from the varying and, at times, overlapping jurisdictional authority between and across scales of government as well as the sometimes diverging and competing interests between and across these scales. These diverging and competing interests have been exasperated by the significant role of private interests in the policy creation process. These aforementioned challenges include: a lack of transparency and trust between various scales of government; a lack of accountability and political will by multiple levels of government to limit non-agricultural development; and the reactive nature of policy creation and enforcement at different scales of government. These challenges have, in turn, led to the passing of regulatory responsibility between scales of government as well as regulatory inconsistencies between, across and within scales. In other words, the challenges associated with MLG have resulted in a lack of cooperation and coordination in the creation of policies, intended to protect ALR lands from non-agricultural development. These inconsistencies have impacted the effectiveness of the ALR as an urban growth boundary. This problem has been particularly evident in the peri-urban context of Richmond, British Columbia. Yet, a turnover of elected officials and multiple scales of government has sometimes helped to partially address these challenges.

5.1. Challenges Related to Transparency and Trust

While communication and coordination occur between the ALC, Ministry of Agriculture and local governments at a staff level, at a policy level, inconsistencies continue to exist between the Province and municipalities. For example, the ALC uses online newsletters and bulletin updates to inform local governments about policy changes and, in terms of the Bill 52 changes, had held seminars providing opportunities for discussion with local government staff (ALC Planner, personal communication, 2019). Ministry of Agriculture regional agrologists, in addition to attending agricultural advisory committees, “answering questions and providing advice,” are also “consulted by

bylaw enforcement people,” are invited to speak at events and are contacted for information on local agricultural issues (Ministry of Agriculture Agrologist, personal communication, 2019). Staff liaisons from the Ministry of Agriculture and the ALC also attend local AAC meetings as non-voting members. One interview participant noted that “at the staff level we work well,” sharing information, feedback and touching base with one another, but that “there's just been a mismatch at the higher policy area or level in terms of how and what we can achieve” (Local Planner, personal communication, 2019).

A lack of transparency between multiple scales of government also poses a challenge to protecting agricultural land. For example, the Wozny report was undertaken because of a request by Metro Vancouver’s AAC to the B.C. Ministry of Agriculture Local Councilor, personal communication, 2019). Yet, while the Metro AAC knew the report had been completed, the Ministry “wouldn’t release it” and so the report had to be obtained under Freedom of Information (Local Councilor, personal communication, 2019). One respondent went on to note that, in reference to this lack of transparency and having to use Freedom of information to obtain information from higher levels of government, “that’s the way it happens all the time” (Local Councilor, personal communication, 2019).

The challenge of this lack of transparency between difference scales of government can also be seen in the City’s relationship with the Port as indicated in the following quote:

They [the federal government] took all the City Council representatives off the board [of Port Metro Vancouver], no meeting with the Mayors or their alternates, and appointed a board that is primarily of the owners of all the business that ship out of Canada. They permitted Metro Vancouver to appoint one person to the board, but that person isn’t allowed to report to Metro Vancouver what’s going on or tell us anything that’s happening (Local Councilor, personal communication, 2019).

This Local Councilor went on to use the Port’s purchase of farmland in the City of Richmond, without letting the City know, as an example of this lack of transparency noting:

We didn’t know about it. It was called the Gilmore Farms. There’s two Gilmore Farms so this was one of them. When we acquired the Garden City Lands, the owner, which was the federal government, said that if we rezoned the acres and let them sell it for fourteen storey high rises, that

they would put in a drainage system in East Richmond to help the farmers in East Richmond. We said no thank you, we'll put the drainage in ourselves. We put ten million dollars in the budget to put a new drainage system and suddenly one farm wouldn't cooperate, the Gilmore Farm. We had to dig a canal along one edge of their property to get the water through from one farm to another, so we passed a motion in camera to expropriate the right of way to put a ditch along the edge of the property. [We] took the expropriation papers to register them over in the Land Registry and found out that the Gilmores didn't own it and that we were trying to expropriate Canada and you can't do that because it was federal land. That's how we found out. They did agree to let us put the drainage canal in and drain the farms in East Richmond, but they refused to sell the land back to farmers (Local Councilor, personal communication, 2019).

The City of Richmond did reach out to the federal government, directly, in the hopes of protecting farmland against its possible conversion to non-agricultural uses by the Port. However, the City found out through media reports that the federal government was going to continue to permit the Port's use of farmland. This incident and others have ultimately impacted relations and trust between the two entities as shown in the following quote:

Mayor Brodie, myself and Linda McPhail, in March of 2017, flew back to Ottawa because we had a new government in Ottawa, and we had hoped that the new Liberals would reverse this policy of the Conservatives. We were widely received, tremendous support, the [federal] Minister of Agriculture was sympathetic. We never heard more back until we read in the paper, one day, that the [federal] Minister of Agriculture had come out and spoken to the Vancouver Board of Trade and said that they were going to permit the Port to use farmland. That's how we got our answer. We're still fighting it. We've said that if you try to go over the Richmond zoning bylaws, the Agricultural Land Reserve bylaws and Metro Vancouver bylaws that protect farmland, so three levels of government, we'll go to court over it [...] When those things happen, it's pretty hard to say how to improve relations when the attempt to improve relations has been rebuffed sort of behind your back (Local Councilor, personal communication, 2019).

5.2. A Lack of Accountability and Political Will

Generally, interview participants also noted the sentiment, amongst municipalities and Metro Vancouver, that the Province should have been more involved in regulating residential development of farmland from the beginning. For example, in reference to the revitalization workshops held in 2018 one local planner commented that "what they [the Ministry of Agriculture] heard from a lot of local governments was that you need to regulate the house size because each local government was dealing with it

differently” and that “the message to them was let's regulate this at the provincial level so it's consistent across jurisdictions” (Local Planner, personal communication, 2019).

Similarly, another interview participant noted that:

It's definitely more effective to have provincial regulation because there's going to be discrepancies at the local government level, all the time, over the province. It is hard for local governments to make these kinds of changes because they feel the pressure of the electorate more directly than provincial or even federal governments do (ALC Commissioner, personal communication, 2019).

In Richmond, BC, this pressure from non-government actors has been significant. For example, the local AAC's membership has been historically dominated by farmland owners (Local Councilor, personal communication, 2019). Furthermore, while these committees are supposed to “provide comments through staff to Council not to Council directly,” the City “had the Agricultural Advisory Committee basically lobbying Council, which did pose some challenges” (Local Planner, personal communication, 2019).

Another respondent also brought up the issue of lobbying and its impacts on the political will of local governments to regulate. In response to these pressures some governments created restrictive regulations, in regard to residential and accessory residential uses of ALR lands, while others did not. This respondent stated that:

We [City of Richmond Councilors] were constantly being lobbied by the property owners. In some cases, they were farmers, but in most cases, they were realtors and people who were making a lot of money selling farmland (Local Councilor, personal communication, 2019).

This participant also added that in regard to lobbying and its impact on policy creation at the City that:

I suspect that it was people wanting to make money off of selling farmland had a lot of influence in the government. I mean that was what was happening here. They were quite open about it. They all came to the meetings and said we want to make money, you're devaluing our land. We want to be able to build and sell to the maximum dollar and we got that over and over again. We [City Council] said that well that's not what the Agricultural Land Reserve is for. The cash crop is supposed to be food not Mega Mansions, but I think that's what happened (Local Councilor, personal communication, 2019).

Similarly, another respondent added in reference to local governments being more susceptible to lobbying than other scales of government that:

Local governments are much closer to the ground. When you are in a local government Council, your constituents can literally come to your office. You know them. You're elected by them. You see them in the evening. They're your neighbors so here the pressure to react to lobby groups is much stronger than when you're remote in the city of Victoria or wherever and out of sight [...] I've been in meetings, with very vocal and really almost I would use the word bullying lobby group, not necessarily reflecting the farming community, definitely not reflecting the majority of Richmond residents as the election has shown afterwards [...] the pressure can be tremendous and this is why local governments have been hesitant to support it [house size limits] or to introduce it (Ministry of Agriculture Agriologist, personal communication, 2019).

These private interests want to enjoy the same development opportunities as farmland owners of the past, which impacts the political will to enact policy change at the local scale, despite the municipal authority to do so. For example, one interview participant stated:

Local governments have a lot of tools to restrict residential uses to a certain size and location. The same thing goes for accessory structures associated with residential uses. They could also restrict the amount of impermeable surfaces they allow, like the amount of driveway, parking, ornamental landscaping. That's all in their wheelhouse to restrict through regulation, but there's not a lot of appetite for that or political will because it's so challenging to try to do that. People say that well it's my property and I should be able to do these things and I've always been allowed to before. Why would you restrict me in this way? That's a big challenge. I think from the local government perspective, they have the ability to do these things and to be restrictive or more prescriptive when it comes to residential uses in the ALR, but the challenge is that there's not often political will or capital to make it happen (ALC Planner, personal communication, 2019).

In contrast to such lobbying efforts by some farmland owners, the vulnerability of the lease hold farming community in the City has impacted the involvement of these non-governmental actors in public policy consultations. At the local government level, one interview participant noted:

Leasing a farm from year to year is very tenuous at best. We had actually, anecdotally, heard from some people that they didn't want to take part in the public process because they were worried. They were worried they would lose their leases if they got involved. There a very vulnerable sector of the farm community. They do want to be involved in farming and they want to work in Richmond, but they're concerned about the availability of

leases as well as the long-term security of those leases (Local Planner, personal communication, 2019).

Yet, despite lobbying and private interests impacting the political will for policy change at a municipal scale as well as repeated requests by the local and regional government for provincial action, the province initially refused to set such regulations. Instead, the Province kept passing this regulatory responsibility onto local governments. One respondent noted that this unwillingness to regulate residential uses on the ALR, along with the feeling amongst some municipalities that the Province should not interfere in local land use decisions, proved to be challenging for the protection of farmland stating:

It seemed like both levels of government were passing the buck back and forth between each other. Everyone was looking to the Province to please stop these mega mansions and the Province said well that belongs in the hands of the local municipalities. [A]s we were, for two years, fighting our local City Hall, repeatedly, they kept saying well the province should really be doing something and they kept writing to the Province [to] please do something. We definitely need some more effective communication. I think since the Agricultural Land Reserve is a provincial land use zone, then I think much more clear direction needs to come from the Ministry of Agriculture down to the local governments. I guess the challenge has been a lot of local governments don't want to be told what to do in their areas (FarmWatch Member, personal communication, 2019).

In terms of why the Province failed to create more restrictive regulations to protect agricultural land from non-farm uses, another interview participant also pointed to a lack of government turnover. This respondent correlated the electoral victory of the NDP provincial government to increased political will for enacting policy change noting:

It's just a change in political will because now the BC NDP Party and the Green Party are in power instead of the BC Liberals. Nothing has changed in terms of anything specific on the ground. It's all the same. The problems from before are the problems that remain. It's just that their used to be a guideline because the BC Liberal party didn't have the political will to turn that into regulation. [T]hrough Bill 52 and now the proposed Bill 15, there's a lot of changes that would come to the Agricultural Land Commission Act and the associated Agricultural Land Reserve regulations, that would take many of those guidelines and turn them into regulations. [T]he only reason behind that is there's been a change in government at the provincial level [...] things have been moving towards land becoming more expensive because of these big homes and that's been happening for a long time. In essence the only reason why you're seeing regulation now as opposed to a guideline is because you have a different government in power at the provincial level (ALC Commissioner, personal communication, 2019).

Similarly, another respondent, in reference to why the province decided to eventually create farmhouse size regulation, said that “without a change in government they [the Province] probably wouldn’t have done anything” (Local Councilor, personal communication, 2019). Still another respondent noted:

[P]art of their [the NDP’s] agenda was to strengthen the ALR. They had been voted in with that on their platform too. I think that kind of gave them a little bit [of a] social certificate that yes B.C residents want us to do more (Ministry of Agriculture Agrolgist, personal communication, 2019).

Yet, this participant when asked if Bill 52 goes far enough in protecting agricultural land from non-farm uses stated:

In my opinion definitely not, but is that as much as you can politically go? That is perhaps the case. You can only go so far. I have to admit they have been relatively bold here and tried really hard. Is this enough? I doubt it (Ministry of Agriculture Agrolgist, personal communication, 2019).

Just as an election and government turnover lead to increased political will for policy action at the provincial scale of government, municipal elections led to a similar increase at City Council. One participant stated that in 2017 Richmond City Council decided on:

A so-called compromise of 10,780 square feet with a couple of us opposed. Well then, we just had a whole run on building permits and if you look at number two road, there’s a half kilometer long of 11,000 square foot houses. People got a bit perturbed about that and that then became the election issue. Of course, the new Council, the first thing they did was basically adopted the Wozny report (Local Councilor, personal communication, 2019).

This respondent went on to say that:

It took a change in government in Richmond for us to do something. If Victoria hadn’t of done it, we would have done it anyway because we ran election campaigns on that issue and won (Local Councilor, personal communication, 2019).

Another interview participant also touched on the challenge of a lack of accountability of City Council who do not necessarily follow staff recommendations. Ultimately, this challenge was addressed by the local election and a turnover in Council with one respondent stating:

The staff reports have always been really clear concerning the data they're talking about in terms of subdivision, house prices, house sizes, lot prices, the amount of land that's being farmed [...] Those all have impacts on the amount of agricultural land being used for farm purposes. The staff reports haven't changed over time - I mean they included more up to date information - the only thing that's changed are the elected officials so it really has to do with whether or not staff reports are being heard by people who are willing to make changes (ALC Commissioner, personal communication, 2019).

5.3. The Reactive Nature of Policy Creation and Enforcement

The multi-jurisdictional character of the ALR with sometimes competing interests between, across and within scales of government has also resulted in reactive rather than proactive policy creation and enforcement in Richmond B.C. For example, one interview respondent noted how Council had not anticipated the impact of the City of Delta's farmhouse size regulation on farmhouse sizes in Richmond stating:

We [City of Richmond Council] were looking at the Delta houses and saying boy that's bad but we weren't looking at any problem in Richmond. Boy it sure happened real fast. I think we've been warning people now that the fact that we brought a bylaw in, the big house syndrome will simply just move up the valley. If they don't do something about it, they're going to face the same problems we had (Local Councilor, personal communication, 2019).

Similarly, another respondent also touched on how the focus of governments at various scales has been on reactively addressing issues as they come up noting:

It's just a matter of time management. [As] so many things are happening, you try to fight the fires before you actually start to build the house. That's the nature of modern agriculture in densely populated areas (Ministry of Agriculture Agrologist, personal communication, 2019).

For example, this respondent discussed the reactive nature of current enforcement efforts in reference to B.C. Ministry of Agriculture agrologists commenting that:

We are quite reactive. Let's put it this way. We don't go somewhere and investigate. This is not our role. What happens sometimes, it's triggered for some reason (Ministry of Agriculture Agrologist, personal communication, 2019).

Similarly, in reference to municipalities, this respondent stated:

Many of those municipalities are also just reactive. They are just understaffed, and they have to make the balance between getting one more person on the payroll and the damage that is done (Ministry of Agriculture Agrologist, personal communication, 2019).

Another respondent also noted the historically reactive nature of enforcement at the City of Richmond, but discussed how actions have recently be taken to address this issue:

We've [the City of Richmond] increased the number of bylaw officers, only by two or three, but enough to do the job better. Basically, the rule was: this is the law, but you don't have to obey the law if nobody reports you. That's the way the people doing this looked at it. The way we looked at it was that we don't know who they law breakers are. If you complain about it, then we'll investigate, but we're not going to go out in search for them. Now our bylaw officers are using the internet and newspaper and hunting these places down that are breaking the bylaws (Local Councilor, personal communication, 2019).

Yet, as noted by one respondent, if large homes on the ALR were not allowed to be built in the first place, enforcement would not be a challenge stating that:

The lobbyist side will say well people should be able to build whatever they want and if they start using it as something illegal then we need to crack down on them. I don't believe that any City has the resources to investigate every mansion and see if it's really being used by farmers or there's something illegal going on in there. I think just by allowing mansions in the first place, when we know that farmers can't afford mansions, you're building the problem. I don't believe that we should have to spy on our neighborhoods or constantly have bylaw enforcement people doing all the research and trying to find all these illegal places. Just don't allow them to be built in the first place and you won't have a problem. If you have a 4,000 square foot house, chances are somebody's going to living in it whose interested in farming and so we think the problem is dealt with [through] house size and that enforcement is just not possible. (FarmWatch Member, personal communication, 2019).

Chapter 6.

Exclusion and Non-Farm Use Analysis of ALR land

6.1. Examples of Significant ALR Exclusions in B.C.

As noted previously, despite the creation of the ALR, the non-farm use of land excluded still within the Reserve has continued in B.C due to the challenges of protecting agricultural land in an MLG context. One such exclusion includes the 142-hectare Spetifore Lands application, which sought to convert City of Delta farmland into urban uses (Garrish, 2002/2003, p. 46; Jackson & Holden, 2013, p. 4849; Oberlander & Smith, 1993, p. 363; Stobbe 2008, p. 18). The intention to convert this agricultural land into residential housing by farmland owner George Spetifore, a supporter of the Social Credit Party, and local developers was supported by Cabinet but opposed by the ALC and Greater Vancouver Regional District (GVRD) (Hodge and Robinson, 2001, pp. 337-338; Oberlander & Smith, 1993, p. 363; Stobbe, 2008, p. 18). The Province responded by removing the “statutory authority” of regional plans in 1983 “on the grounds that they were trespassing on municipal jurisdiction” (Hodge and Robinson, 2001, pp. 337-338; Magnusson et al., 1984 as quoted in Oberlander & Smith, 1993, p. 363; Tomalty, 2002, p. 434). Ultimately, this land was not developed, and the federal government called for a one-year development moratorium based on the Spetifore Lands’ potential impact on migratory birds (Oberlander & Smith, 1993, p. 363). However, debate continued until 1989 when “the development plan was defeated by Delta Council” in Canada’s longest land reclassification hearings and many of the City’s pro-development Councillors lost their seats in the local election (Oberlander & Smith, 1993, p. 363). This exclusion is a significant example of provincial government exercising its formal authority over the ALC. Despite the ALC’s stated status as an “an autonomous provincial agency, independent of the provincial government” (Agricultural Land Commission, 2019c, p. 6), in practice ALC decisions are still subject to the political and policy whims of the Province.²⁸ Such a hierarchical decision making framework has at times led to the

²⁸ In 2015, the Province also “terminated Richard Bullock from his position as Chair of the Agricultural Land Commission (ALC) without warning,” after he had publicly critiqued Provincial changes to the Agricultural Land Commission Act, in 2014. These changes divided the ALR into two zones, prompting groups, like the non-profit West Coast Environmental law, to question the independence of the ALC and the legality of this termination, arguing that “the firing gives every

undermining of the ALC's effectiveness in protecting agricultural land from non-farm uses and the undermining of the regional "Vision" more generally.

In the 1980s, Delta's neighbour, the City of Richmond also proposed the exclusion of the 188 hectares Terra Nova lands, comprising a golf course, farmed land and land held by developers for speculative purposes (Newman et al., 2015, p. 106). The City designated these lands as residential in its *Official Community Plan* despite public feedback being largely opposed to this exclusion and the creation of the Save Richmond Farmland Society (Newman et al., 2015, p. 106). In 1987, a 129-hectare portion of the Terra Nova lands was excluded for residential development, which was permitted by the provincial Social Credit Cabinet despite the ALC's recommendation against its removal (Campbell, 2006, p. 14; Newman et al., 2015, p. 106). However, in 1996 with development already occurring "mobilization by a coalition of urban residents and local food advocates resulted in a referendum" (Newman et al., 2015, p. 106). Richmond residents voted in favor of using \$28.5 million to purchase the remaining 22 ha of undeveloped land (Newman et al., 2015, p. 106). This purchased land was then converted into Terra Nova Rural Park and used as community gardens, rental lots for young farmers and for various other food production efforts (Newman et al., 2015, p. 106). This case shows that pushback from local advocacy groups has helped to reduce the loss of local farmland to non-farm purposes to a degree, increasing the political will and capital for policy change. However, much of these policy changes have been reactive in nature, undermining their effectiveness in protecting agricultural land.

The 1997-1998 Six-Mile Ranch approximately 136 hectares ALR exclusion outside Kamloops is another example of the provincial government exercising its authority and circumventing the decisions of the Commission (Garrish, 2002/2003, p. 25). Although at this time it was the leftist NDP Party led by Glen Clark in power. The owners, Pagebrook Inc., planned to build "a golf course, lodge, residential units, theme park, and other amenities" (Garrish, 2002/2003, p. 25). It was expected that this project would result in additional jobs and \$180 million of local investment by Pagebrook during a period of economic recession (British Columbia Ministry of Agriculture and Food, 1998,

appearance of a strong rebuke to Mr. Bullock and an assertion of government control over the ALC" (West Coast Environmental Law, 2015, para. 1,7). This group went on to state that the ALC's "ability to make impartial decisions, free from political and other pressures" is necessary "to effectively manage many competing interests while fulfilling its mandate of preserving BC's agricultural land" (West Coast Environmental Law, 2015, para. 4)

p. 3). While the ALC voted against this exclusion in 1997 after a public hearing, it made several suggestions on how the application could be modified in order to be reconsidered in the future (British Columbia Ministry of Agriculture and Food, 1998, pp. 1-2). The company taking into consideration these revisions, reapplied later that year with the ALC scheduled to re-evaluate the application in January 1998 (British Columbia Ministry of Agriculture and Food, 1998, pp. 1-2). In this revised application, the 80.8 ha cattle ranch on the property was maintained “in order to market the ranch as an agri-tourism destination resort” (Garrish, 2002/2003, p. 25) and the development company provided the neighboring 137.8 ha Station Ranch “power and water” to bring it into active agricultural production (British Columbia Ministry of Agriculture and Food, 1998, p. 3). However, before this ALC review could take place, the NDP government approved the project, declaring it to be in the “provincial interest” (British Columbia Ministry of Agriculture and Food, 1998, pp. 1-2). This particular case, therefore, illustrates the argument made by Frisken that during periods of economic turmoil the “pressures” on provincial governments to “control the pace and pattern of metropolitan area expansion” become subordinate to increasing employment and revenues (Frisken, 1994, pp. 22-23). Even provincial governments historically in favor of protecting an agricultural land base from non-farm uses are susceptible to such “pressures,” indicating the significance of the state of the regional economy in determining the willingness of governments to make economic-agricultural land protection compromises.

The non-profit organization Farm Folk/City Folk sued the provincial government in 1998 to prevent this development from occurring, but the B.C. Supreme Court ruled in favor of the Province (British Columbia Ministry of Agriculture and Food, 1998, pp. 1-2). That same year, Liberal MLA Michael de Jong accused the NDP Premier Glen Clark, Minister of Agriculture and Food Corky Evans, and NDP MLA Cathy McGregor of Conflict of Interest violations for their support of the project, but the Conflict of Interest Commissioner “found no grounds for proceeding” (British Columbia Ministry of Agriculture and Food, 1998, pp. 1-2). Garrish has argued that this case revealed the “dichotomy between supporters and opponents” of ALR exclusions (Garrish, 2002/2003, p. 26). While opponents, mostly the urban areas of the Lower Mainland, believed that “land should never be removed from the reserve,” supporters took a “utilitarian” stance that “the preservation of agricultural land as a resource within a free-market system could not succeed in the absence of a viable farm economy” (Garrish, 2002/2003, p. 26).

What makes this exclusion of particular interest to this study is the fact that the provincial government at the time was not the Social Credit Party but rather the Glen Clark led NDP's (1996-1999). This case, therefore, indicates that while the NDP has generally been more favorable to increasing the powers of the ALC and protecting ALR land from non-farm uses more generally, this Party has still allowed ALC exclusions to occur.

Another example of a significant ALR exclusion application includes the 55 ha Garden City Lands, which was under military control and used to grow berries and Christmas trees until 1949, when the Canadian Coast Guard removed these uses and instead installed "communications and control towers" (Newman et al., 2015, p. 107). Eventually, "in the early 2000s, after a decade of leftist NDP government, the lands were incorporated within a federal restitution settlement with the Musqueam First Nation in exchange for lands taken by Euro Canadian settlers without compensation" (Newman et al., 2015, p. 107). Initially, the City of Richmond intended to purchase half of these lands from the Musqueam (Newman et al., 2015, p. 107). The City would have partially used their half for urban agricultural purposes and the Musqueam would have used their portion for residential development (Newman et al., 2015, p. 107). Yet, after the ALC's refusal of the application in 2009 and pushback from local advocacy groups, the City voted to appropriate \$59.2 million to purchase the entire Garden City Lands, which had a productive value of approximately \$13 million (Newman et al., 2015, p. 107). In 2014, a plan was approved to use these lands for agriculture, a bog, open fields and other purposes (Newman et al., 2015, p. 107). The location of these City of Richmond exclusions along with the Spetifore exclusion are shown in Figure 6.1. Ultimately, while the presence of the ALR and lobbying efforts by advocacy groups pushing for the protection of agricultural land from non-farm uses has protected agricultural lands in the City of Richmond, the non-agricultural development of farmland still occurs.

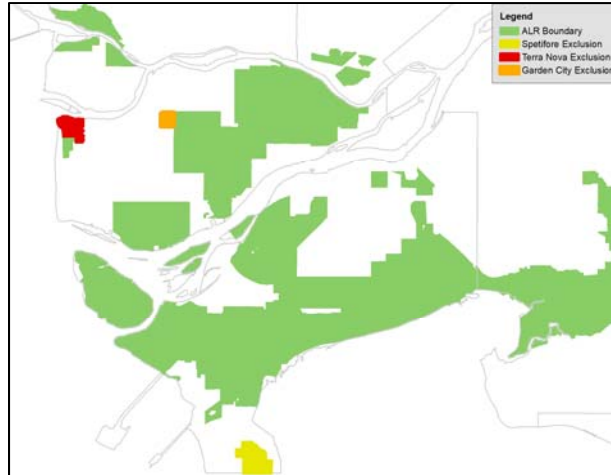


Figure 6.1 The Location of Some Significant ALR Exclusion Applications
 Note. Data for City boundaries from Metro Vancouver (2017a), ALC decisions from the Agricultural Land Commission (2019a), and the ALR boundaries from the Agricultural Land Commission (2019b).

6.2. Total Land Excluded from the ALR in the City of Richmond

A total of 64 ALC exclusion applications for ALR lands in Richmond were made between 1974 and 2019, as shown in Figure 6.2 (Agricultural Land Commission, 2019a). Generally, approved exclusion applications have historically been located along the edges of the ALR’s boundary and near urban or industrial areas (Agricultural Land Commission, 2019a). From January 2009 to May 2019 alone, another 67.4 ha of exclusion applications have been refused by the City before reaching the ALC (City of Richmond, 2019e). Still another 60.8 ha are still in circulation or at Council at the City of Richmond (City of Richmond, 2019e). The exclusion application most recently refused by the City occurred in 2014 and the most recent ALC refusal occurred in 2013 (Agricultural Land Commission, 2019a; City of Richmond, 2019e). These accepted, rejected and still pending applications are shown in Figure 6.3. To date, 649 hectares of ALR land have been excluded while 25 hectares have been added, for a 10.8% net loss of farmland in the City of Richmond (Newman et al., 2015, p. 104).²⁹ Although, far more agricultural land would have been lost without the existence of the ALR. Figure 6.4 shows what the ALR boundaries look like in the City today, what they would have looked like when the ALR was first created and what ALR land would have been left if all

²⁹ Sea Island boundaries as well as roads, rights-of-way, foreshore, small parcels are included in these calculations.

exclusion application had been approved. As of 2016, approximately 5,180 hectares of Richmond’s land was in the ALR or approximately 40% of the municipal land base (Agricultural Land Commission, 2019b; Geosuite, 2016). Roads, rights-of-way, foreshore, and small parcels are included in these calculations.

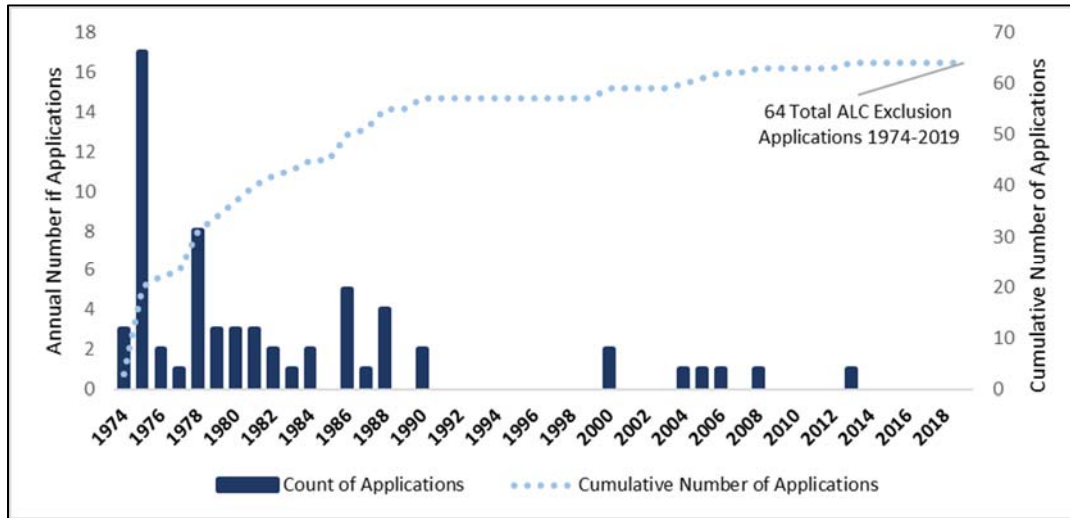


Figure 6.2 Number of Exclusion Applications Received by the ALC for ALR Lands in the City of Richmond 1974-2019

Note. Data from the Agricultural Land Commission (2019a).

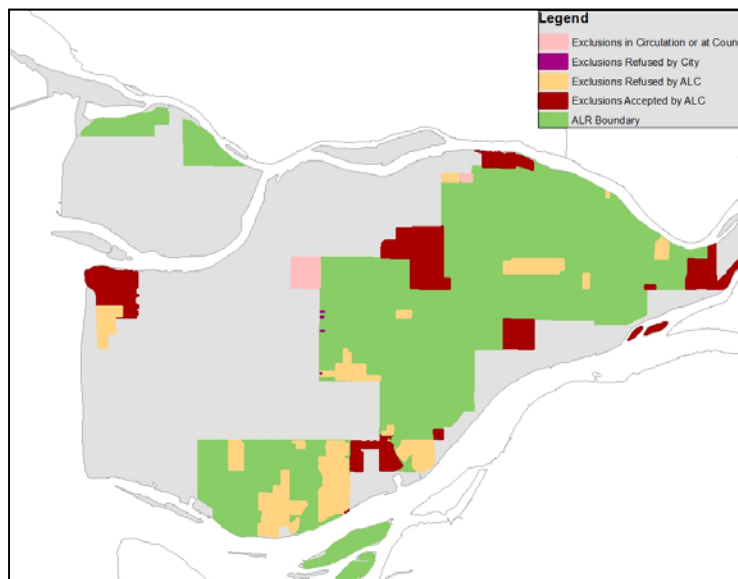


Figure 6.3 Map of Exclusion Applications Received by ALC and the City of Richmond

Note: Data for City boundaries from Metro Vancouver (2017a), ALC decisions from the Agricultural Land Commission (2019a), the ALR boundaries from the Agricultural Land Commission (2019b), and data for City of Richmond development application decisions is from the City of Richmond (2019e)

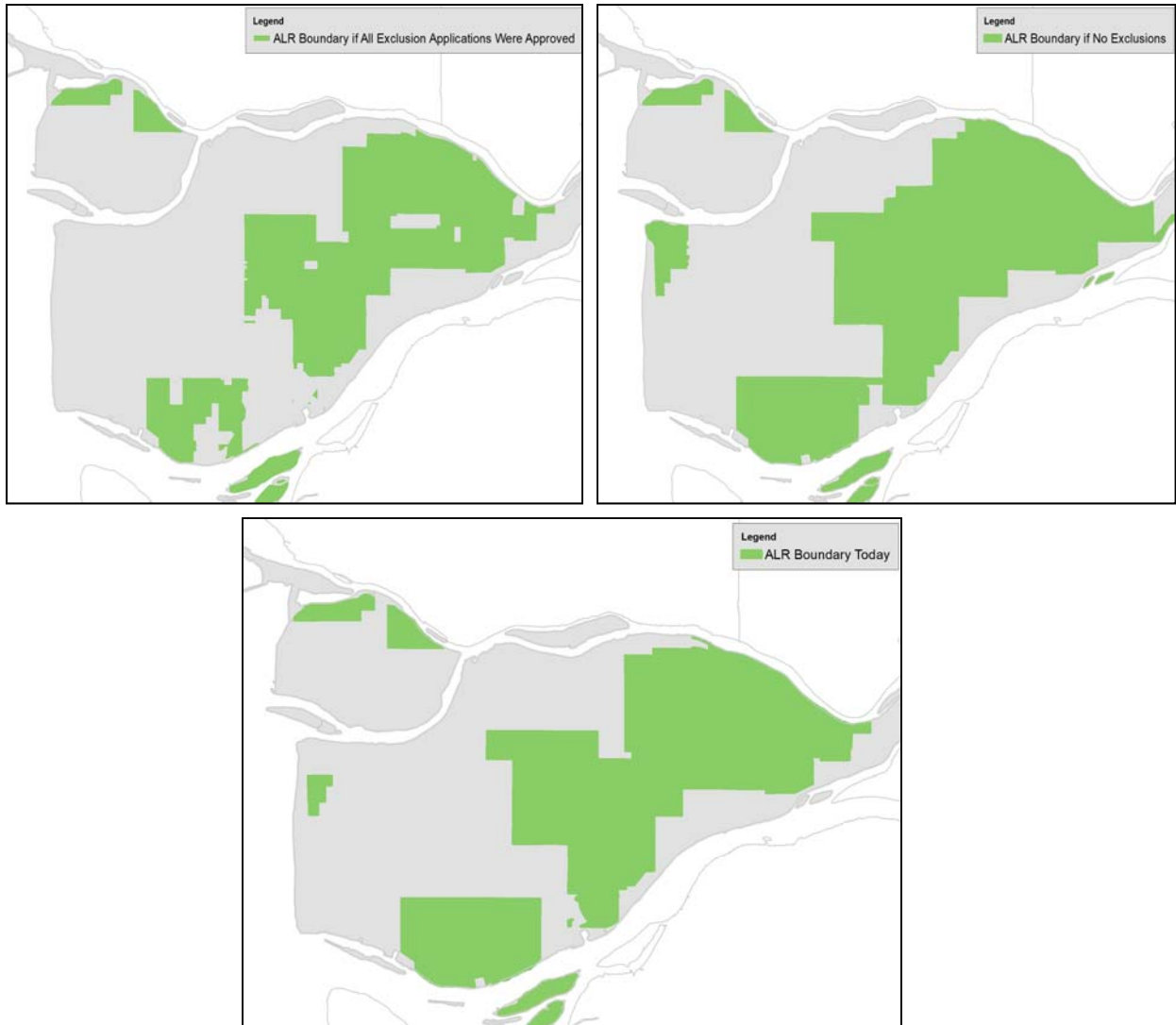


Figure 6.4 Theoretical Maps Showing ALR Boundaries Today if No Exclusion Applications Had Been Accepted (Top Right), If They Had All Been Accepted (Top Left) and the Actual ALR Boundaries Today (Bottom)

Note. Data for City boundaries from Metro Vancouver (2017a), for ALC application decisions used to create the theoretical scenarios from the Agricultural Land Commission (2019a), and for ALR boundaries today from the Agricultural Land Commission (2019b)

6.3. Residential and Accessory Residential Development of ALR Lands in the City of Richmond

The most recent Metro Vancouver Agricultural Land Use Inventory was conducted in 2016, providing an update for the previous 2010 results. As of this new inventory, there were 1,766 ALR lots with a total area of 4,722.3 ha in the City of Richmond (British Columbia Ministry of Agriculture, 2016). This area figure does not include roads, rights-of-way, foreshore, and small parcels. Of these lots, 698 are

currently used for farming, 247 lots are available for farming and 821 lots are unavailable for farming (British Columbia Ministry of Agriculture, 2016). Figure 6.5 shows the proportionate land uses of ALR lots in Richmond where 60% have residential uses, followed by agricultural only use at 19% (British Columbia Ministry of Agriculture, 2016). Of these 1,061 residential parcels, 343 are partially used for farming, 149 are available for farming and 569, or 54%, are unavailable for farming (British Columbia Ministry of Agriculture, 2016). In other words, 32% of total ALR lots in Richmond can not be used for farming, given residential development, which dominates the land use of these parcels (British Columbia Ministry of Agriculture, 2016). This is not surprising given that 1,103 total ALR lots (62%) in the City are less than 1 ha in size and 1,349 lots are smaller than 2 ha (76%) (British Columbia Ministry of Agriculture, 2016). These smaller parcels are particularly attractive for residential development with 772 parcels smaller than 1 ha being unavailable for farming (British Columbia Ministry of Agriculture, 2016). Ultimately, these results indicate that residential development accounts for a large portion of ALR lands unavailable for agricultural production in the City of Richmond. They illustrate the significance of residential land uses on ALR lots and serve to underscore the argument that an agricultural land base must first be protected from non-farm uses before their productivity can be addressed.

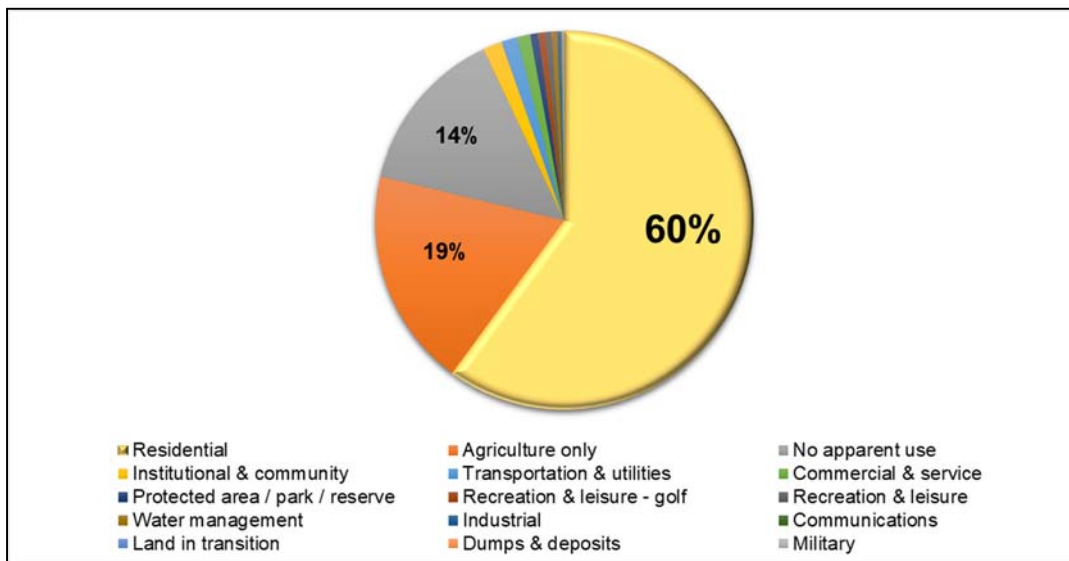


Figure 6.5 2016 ALR Land Use in Richmond B.C.
 Note. Data from the British Columbia Ministry of Agriculture (2016)

Of the 2,645 ha of ALR land currently in crop production, 53% is devoted to berries as shown in Figure 6.6 (British Columbia Ministry of Agriculture, 2016).³⁰ The significance of berry production may be partially explained by the fact that nearly “all of the soil being deposited on farmland today is excavation soil of lower quality” (Local Councillor, personal communication, 2019). Blueberries are one of the few crops “that will grow on the fill land” (Local Councillor, personal communication, 2019). This, in turn, has led to increasing blueberry production and depressed prices for this crop (Local Councillor, personal communication, 2019). This concentration may also be reflective of what one interview participant termed the “the mansion industry” on ALR lands where:

A lot of people found a way to sort of subsidize the difficult, challenging life of farming by creating and developing estates on farmland to sell to foreign invest[ors]. They might, in turn, use that money from foreign capital to plant some blueberries and set up more farming infrastructure for the foreign investor so that they can have a large mansion and also have a turn-key blueberry farm operation, which would mean they pay very little tax on their large mansion (Farmwatch Member, personal communication, 2019).

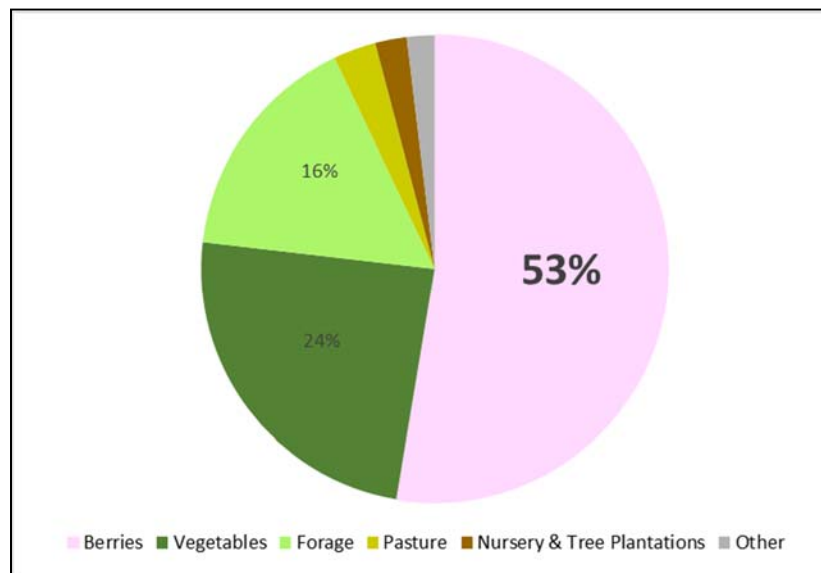


Figure 6.6 2016 ALR Crop Production in Richmond B.C.’s ALR Lands
 Note. Data from the British Columbia Ministry of Agriculture (2016)

³⁰ Another type of crop of increasing significance in recent years is Cannabis. While the City of Richmond OCP and Zoning Bylaw 8500 had prevented the growth of cannabis on the ALR, on July 13, 2018, the provincial government allowed the production of medical and recreational cannabis if it occurred: “outdoors in a field or in a building or structure with a soil base”; or “as of July 13, 2018, in an existing building or structure (or under construction) used for the purpose of growing crops” (City of Richmond, 2019b, p. 3). Such production “does not require Agricultural Land Commission (ALC) approval” (City of Richmond, 2019b, p. 3)

The rise of “mansions” on the ALR are also reflected in building permit data. Between 2010-2016, there were on average of 13 building permit applications, for single family dwellings, received annually (City of Richmond, 2017f, p. 7). These permits had an average house size of 10,408 ft² (City of Richmond, 2017f, p. 7). This number rose to 45, from January to March 2017, with the size of these applications now averaging 12,000 ft² (City of Richmond, 2017f, p. 7). The one-month period between March 3, 2017- April 3, 2017, when regulation to limit farmhouse sizes was being considered by Council, also accounted for 18 submitted applications (City of Richmond, 2017f, p. 1). Similarly, in just March 2018, 14 applications were received, “correlating to the date staff reported back to Council the results of the public consultation undertaken in February of 2018” (City of Richmond, 2018c, p. 1). These figures indicate that during periods when further regulatory restrictions on the residential development of ALR lands, were discussed by Council, a “spike” in building permit activity occurred (City of Richmond, 2018c, p. 1). Such a “spike” indicates that policy creation and change have led to increased residential development activity on ALR lands.

However, not all submitted building permits are approved by the City. When only issued single family building permits on ALR land are examined, 155 such approvals have occurred on agriculturally zoned lots between January 2009 and May 2019 (City of Richmond, 2019d). These issued permits represent a cumulative total of 1,580,934 square feet or approximately 15.8 ha of additional residential development, as shown in Figure 6.7 (City of Richmond, 2019d). The largest of these permits was issued in 2016, for a 25,547 square foot dwelling, and the highest annual count of issued permits, at 32, occurred in 2017 (City of Richmond, 2019d). Furthermore, while the total count and size of issued residential building permits declined in 2018 and 2019, when compared to 2017 levels, they continued to remain high. In 2018, 29 such permits were issued and between January 1, 2019 and May 2, 2019, 14 permits were issued, with a maximum size of 11,794 square feet as applications made prior to the December 2018 municipal policy changes continued to be processed (City of Richmond, 2019d). These figures also only include the residential dwellings, garages and decks and do not consider other accessory residential uses like landscaping, tennis courts, and swimming pools, which often accompany larger dwellings.

As indicated by Figure 6.8, there are a few lots for which multiple building permits have been issued in the past decade (City of Richmond, 2019d). In general, most of the

building permit activity, from January 1, 2009 to May 3, 2019, were for properties west of Sidaway Road. This trend likely reflects increased urban sprawl pressures in the more densely populated western portion of the City. Newer permits issued in 2018 and 2019 are concentrated in this area as well. Six of these single-family building permits issued in 2017 and two others issued in 2018 eventually expired (City of Richmond, 2019d). Despite these expirations, these building permit figures help to illustrate the significance of the chosen time frame for this analysis. In recent years there has been increasing residential development of ALR lands in Richmond, resulting from inconsistent policies or lack thereof between, across and within scales of government.

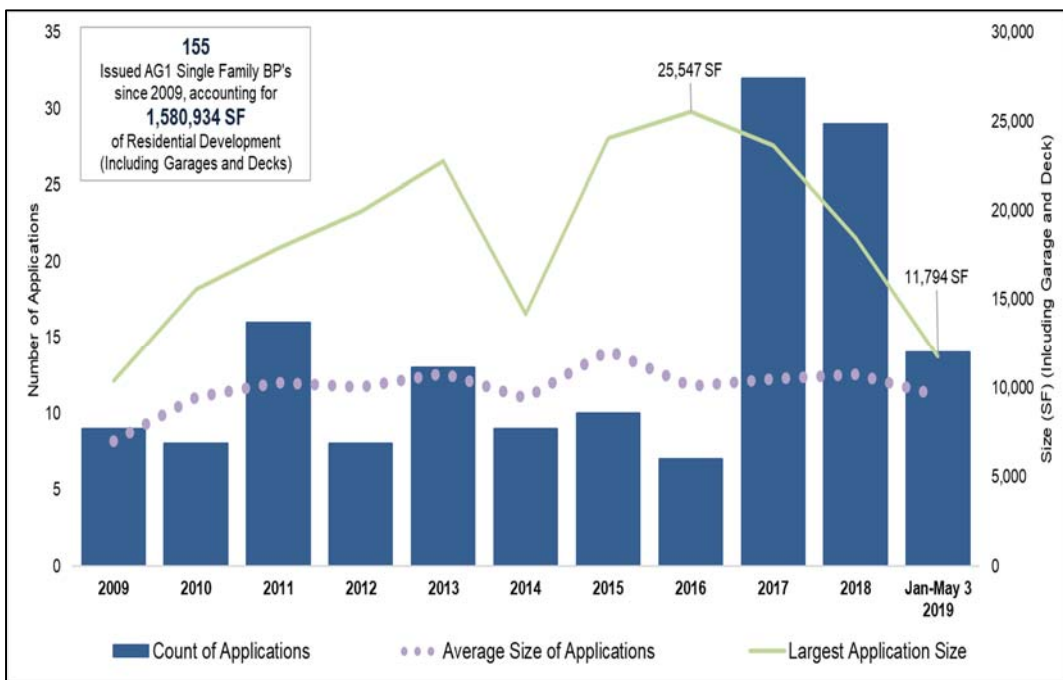


Figure 6.7 Annual Count and Average Size of AG1 Single Family Building Permits Issued for ALR Lots in the City of Richmond

Note. Data from the City of Richmond (2019d)

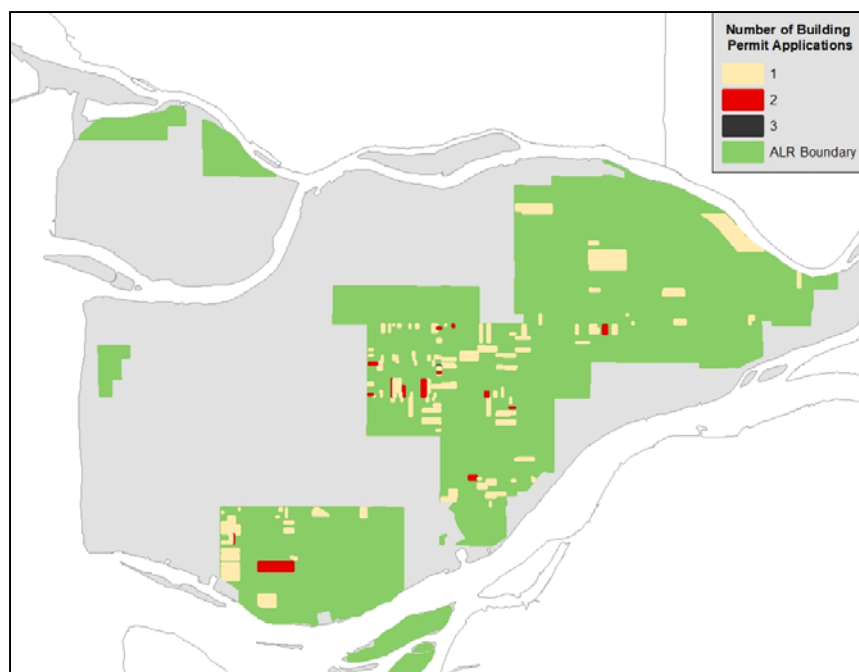


Figure 6.8 Issued AG1 Single Family Dwelling Permits by Number of Applications Per Lot January 1, 2009- May 3, 2019

Note. Data for City boundaries from Metro Vancouver (2017a), for ALR boundaries from the Agricultural Land Commission (2019d), and for building permit data from the City of Richmond (2019d)

As shown in Table 6.1, while in 2013 4.5% of total ALR lands in Richmond were used for residential and residential accessory purposes, this number increased to 4.9% by 2018. While the sheer size of the ALR in Richmond has ensured that the density of residential development continues to remain low, an increase can still be seen. The results of the GIS analysis, shown in Table 6.2, also indicate that the number of distinct residential patches has declined from 415 in 2013 to 407 in 2018. These numbers illustrate a growing concentration of residential development in certain locations. In other words, in terms of distribution, certain locations continue to attract residential and accessory residential development to a greater extent. These locations include the area within 250m of the ALR boundaries and the Western half of the ALR along Number Two Road, Westminster Highway, Granville Ave and Blundell Road. Such concentration reflects the increased urban character of the City’s western half, resulting in greater development pressure on ALR lots in this area.

Furthermore, the extent of residential development on ALR lots has grown. Residential development, including accessory residential uses, has increased by 18.5 ha from 2013 to 2018 with 12.1 ha of this change, or 65%, occurring between 2016 and

2018 as indicated in Table 6.1. Thus, while no recent exclusion applications have been made for ALR lands in Richmond, residential and accessory development within the ALR's borders has increased. This has been especially true since 2016, at which point, the province was asked by the City to regulate farmhouse sizes but declined to do so (City of Richmond, 2017a, pp. 3-4). The effects of the 2018 municipal and provincial policy changes on residential land use growth in the ALR can not be analyzed quantitatively given that these changes would likely not begin to appear until year end 2019 or 2020. Yet, the impacts of the 2017 municipal policy changes, which resulted in an increase of single-family building permit activity as well as the 2016 provincial Foreign Home Buyers Tax, from which farmland is exempt, can be seen to some extent and likely helps to explain the higher share of residential development calculated from 2016 to 2018. These results also include accessory residential uses such as landscaping, tennis courts, and pools, and, therefore, provide a better sense of the scope of ALR land used for residential and accessory residential purposes than just building permit data alone.

In other words, the ALR has been generally successful in protecting agricultural land from non-agricultural purposes in Richmond and without the presence of the ALR, the conversion of farmland to urban uses would be higher. However, residential and accessory residential development has remained a significant land use function within the ALR boundaries in the City, with such uses increasing particularly since 2016. This period has been one characterized by a lack of coordination and cooperation in the creation of policies intended to protect ALR lands from non-agricultural purposes, between, across and within various scales of government. The multi-jurisdictional character of the ALR allowed the provincial government to pass the responsibility of creating policies to municipalities and for cities to pass such responsibility to the Province. This, in turn, resulted in limited policies to protect agricultural land from non-farm uses prior to 2017. This permissive regulatory environment allowed for the construction of "mansions" on ALR lands. When new regulation was eventually introduced by the City to limit the residential and accessory residential development of ALR land, as a result of electoral turnover and pressure from farmland advocacy groups, it led to an increase in building permit activity similar to that seen when the ALR was initially proposed. While there will likely be less residential and accessory residential development in the City moving forward, given the new provincial and municipal limits,

the delayed policy response resulting from the challenges of protecting ALR land in an MLG context, has meant that a significant amount of farmland has already been converted to non-agricultural uses in the City. The MLG context of the ALR with sometimes conflicting and competing politics and policies between, across and within governments scales, has allowed for the increased conversion of farmland to non-agricultural uses, particularly in the more urbanized western half of the City.

Table 6.1. Residential and Accessory Residential Growth Indicators for ALR Lands in the City of Richmond

Distance from ALR Border (Meters)	Total Area of Residential Patches (ha)			Growth			Residential Patch Area as a Share of Total Land Area			Growth		Residential Patch Area as a Share of Total Residential Land Area			Growth	
	2013	2016	2018	Change 2013-2018	Change 2016-2018	Proportion of Change Occurring Since 2016	2013	2016	2018	Change 2013-2018	Change 2016-2018	2013	2016	2018	Change 2013-2018	Change 2016-2018
250m	63.5	66.3	71.8	8.3	5.6	67.1%	4.0%	4.2%	4.6%	0.5%	0.4%	27.1%	27.5%	28.4%	1.3%	0.9%
500m	29.2	30.0	31.7	2.5	1.8	70.9%	2.7%	2.8%	3.0%	0.2%	0.2%	12.5%	12.5%	12.6%	0.1%	0.1%
750m	39.3	40.6	41.7	2.4	1.1	46.0%	4.4%	4.6%	4.7%	0.3%	0.1%	16.8%	16.9%	16.5%	-0.3%	-0.4%
1000m	58.5	60.0	62.4	3.9	2.4	61.9%	8.3%	8.5%	8.8%	0.6%	0.3%	25.0%	24.9%	24.7%	-0.3%	-0.2%
1250m	25.6	25.7	26.4	0.9	0.8	88.1%	5.2%	5.3%	5.4%	0.2%	0.2%	10.9%	10.7%	10.5%	-0.5%	-0.2%
1500m	13.3	13.4	13.8	0.6	0.5	83.8%	5.6%	5.6%	5.8%	0.2%	0.2%	5.7%	5.6%	5.5%	-0.2%	-0.1%
1750m	4.5	4.5	4.5	0.0	0.0	3.1%	3.2%	3.2%	3.2%	0.0%	0.0%	1.9%	1.9%	1.8%	-0.1%	-0.1%
2000m	0.2	0.2	0.2	0.0	0.0	0.0%	0.3%	0.3%	0.3%	0.0%	0.0%	0.1%	0.1%	0.1%	0.0%	0.0%
Total	234.1	240.5	252.6	18.5	12.1	65.2%	4.5%	4.6%	4.9%	0.4%	0.2%	100.0%	100.0%	100.0%		

Note. Data layers used in this analysis adapted from the British Columbia Ministry of Agriculture (2016)

Table 6.2. Residential Patch Indicators 2013-2018 for ALR Lands in the City of Richmond

	Count of Residential Patches			Share of Total Residential Patches		
	2013	2016	2018	2013	2016	2018
250m	133	127	129	32.0%	31.0%	31.7%
500m	60	61	59	14.5%	14.9%	14.5%
750m	67	65	64	16.1%	15.9%	15.7%
1000m	88	90	87	21.2%	22.0%	21.4%
1250m	31	31	32	7.5%	7.6%	7.9%
1500m	21	21	21	5.1%	5.1%	5.2%
1750m	13	13	13	3.1%	3.2%	3.2%
2000m	2	2	2	0.5%	0.5%	0.5%
TOTAL	415	410	407	100.0%	100.0%	100.0%

Note. Data layers used in this analysis adapted from the British Columbia Ministry of Agriculture (2016)

Chapter 7.

Conclusion and Recommendations

The case of the ALR in Richmond British Columbia is significant in that while it conforms to much MLG literature in British Columbia, and Canada more generally, it also serves as an outlier that runs against the grain of past scholarship in some respects. This locally specific case study, therefore, hopes to add new insights into current understandings of MLG literature in a Canadian context, by examining the applicability of such theories to ALR governance and addressing limitations where they exist. Ultimately, the ALR is presented as fitting Curry “multi-level government” model of MLG with “formal, hierarchical approaches to policy” (Curry, 2018, p. 111). While this framework can result in a lack of collaboration and inconsistent policies, between, across and within scales of government, such an approach does not necessarily preclude collaboration, which can occur when interests align. The presence of multiple levels of government in an MLG framework may also serve as a “safety net” ensuring the creation of more effective policies, that are reflective of public interests, by one level of government when others lack the political will to do so. Thus, while the multi-jurisdictional character of ALR governance can allow for the increased conversion of farmland to non-agricultural uses, it is this same multi-jurisdictional character that presents an opportunity for the creation of policies that are consistent between urban and agricultural areas within cities.

7.1. Location, Location, Location: A City Nested in Multiple Scales of Land Use Conflict

The City of Richmond’s ALR parcels enjoy several service and locational advantages, making their conversion to non-agricultural uses particularly attractive, when compared to some urban neighborhoods in the City like parts of Thompson, Seafair and Shellmont (City of Richmond, 2017e, pp. 6-7), as well as other municipalities with significant amounts of ALR land. The City itself is also located in a peri-urban location (Newman et al., 2013, p. 101), which previous authors have framed as a “contested ground” (Bourne et al., 2003, p. 266), where conflicting “policy goals” and land uses (Scott et al., 2013, pp. 12, 36) lead to a lack of collaboration and coordination

in land use planning. Metro Vancouver, the regional district in which the City is located is also particularly prone to development pressures on ALR lands, as indicated by high rates of exclusion applications (Agricultural Land Commission, 2019a) and increasing calls to convert such lands to industrial (City of Richmond, 2015c, p. 5; Port of Vancouver, n.d., para 17), residential (Urban Development Institute, 1973, p. 1), and other non-agricultural uses in the name of economic growth and a perceived lack of land for these alternate uses. While previous authors have described regional districts in Canada as “arenas of contention” (Walisser et al., 2013, p. 156), land use conflict has been particularly evident in Metro Vancouver where there is a divide in interests amongst municipalities with “greater physical growth potential in greenfield areas and those already urbanized” (McDougall et al., 2017, pp. 38-39). The City of Richmond is therefore simultaneously nested in multiple spaces of land use conflict. Not only are land uses competing within the boundaries of the ALR itself, but also the City and region more generally. This land use conflict has made policy creation and change, to protect ALR land from non-agricultural purposes, particularly difficult.

7.2. The ALR as a Case of ‘Multi-Level Government’

The passage of the *Local Government Act* and Community Charter has provided municipalities in B.C. with increased authority (Smith & Stewart, 2009, p. 185) and theoretically a greater ability to address such land use conflicts. Yet, in the context of the ALR, as in other areas, municipalities are still subject to policies by higher order governments and cannot contradict such policies (Smith & Stewart, 2009, p. 188). The Province also retains the authority to “revoke” the powers of both the region and local governments (Curry, 2018, pp. 110, 112), as evidenced by the removal of regional planning authority in 1983 (Oberlander & Smith, 1993, p. 363). Given this “formal, hierarchical approaches to policy,” the ALR can best be described as fitting into Curry’s new model of MLG, which he terms “multi-level government” (Curry, 2018, p. 111).

Ultimately, Young argues that “in many intergovernmental relationships, municipalities lack the resources and the jurisdiction to make much of a policy impact” and that they “tend to be policy takers” (Young, 2013, p. 14). This case study provides an exception to this statement. In the context of Richmond, Council has on several occasions appropriated funds to purchase and protect farmland, or to increase enforcement measures. In the context of the ALR, cities also enjoy considerable

amounts of power and jurisdictional authority in terms of creating policies. However, while municipalities have the power to create such policies, they often lack the political will to do so, requesting that higher levels of government act instead. For example, while local governments do have the authority to regulate farmhouse sizes, and accessory residential structures, the Province was asked to regulate these uses in 2010 and 2011 by the regional government and in 2016 by the City of Richmond (City of Richmond, 2017a, pp. 3-4; City of Richmond, 2017c, p. 13; Metro Vancouver, 2018d, p. 5). It may therefore be more accurate to say that in the context of a multi-jurisdictional ALR, municipalities often *choose* to be “policy takers” as they are often unwilling to create policies, to protect agricultural lands, themselves due to pressure from private interests, despite having the jurisdictional authority to do so. Such an argument supports Frisken’s more general claim about multi-level governance that some municipalities may use a lack of jurisdiction to justify a lack of policy creation despite having the authority to create land use policies (Frisken, 1994, p. 32).

The Province has also similarly used the jurisdictional authority of municipal governments to justify its own inaction. For example, regional and municipal requests for Province-wide regulation were denied on the grounds that the responsibility of regulating residential development on ALR lands lies with municipalities (City of Richmond, 2017a, pp. 3-4; City of Richmond, 2017c, p. 13; Metro Vancouver, 2018d, p. 5). Furthermore, provincial changes were introduced through Bill 52, after consultation with UBCM, the region, municipalities and various stakeholders (Minister of Agriculture, 2018a; Union of British Columbia Municipalities, 2018). However, many of these changes have not gone far enough failing to, for example, set a provincial standard for farm home plate and setbacks. This likely reflects the impacts of business interests, which lobbied the Horgan led NDP government in the period leading up to the creation of this Bill (Local Councillor, personal communication, 2019). Thus, while McDougall et al. argue that the “the BC government’s refusal to engage in [MLG] dialogue and the hierarchical imposition of authority represent one of the greatest challenges to preserving Cities in a Sea of Green” (McDougall et al., 2017, p. 42), the case of the ALR shows that the Province has been willing to engage in discussions surrounding ALR land protection, at least in recent years following the election of the Horgan led NDP government in 2017. Instead, it is largely the lack of political will and leadership to enact policies, that reflect such feedback, at both the municipal and provincial scales, which allows for regulatory

responsibility to be passed to other levels of government. It is this lack of political will and leadership, resulting from competing interests between governments and the influence of private interests on these governments, that represents one of the most significant challenges to preserving the regional “Vision.”

Ultimately, Curry’s argument that while “the actors involved in the process of governance have expanded in recent years, governance in the province of British Columbia has remained quite government-centric” (Curry, 2018, p. 107; Smith & Stewart 2009) is also seen in the case of the ALR. Non-state actors can and do have an impact on policy creation at various scales, but their role has largely been one of lobbying and consultation. Such involvement of non-government actors has also been mostly limited to periods where governments have already decided to act and are simply seeking input on what form this policy action should take. This was the case with municipal policy consultations that occurred in 2017 (City of Richmond, 2017d, p. 2) as well as the Richmond Farmland Owners (Hennig, 2018) and the Richmond Citizens Association (City of Richmond, 2018b, pp. 6-7; City of Richmond, 2018d, pp. 6-7) petitions, pushing for the status quo and further regulatory restrictions respectively, at the municipal scale in 2018. Such lobbying largely occurred after the City of Richmond’s decision to examine their bylaws in 2016 (City of Richmond, 2017a). Richmond FarmWatch and the B.C. Farmland Owners Association also lobbied the provincial government in 2017 and 2018 (FarmWatch Member, personal communication, 2019; Local Councillor, personal communication, 2019) after the re-election of the NDP provincial government, whose platform promised to “revitalize” the ALR (Horgan, 2017, p. 73). Therefore, despite Young’s argument that few non-governmental actors can “shift scales” and “operate effectively at higher levels of government” (Young, 2013, pp. 9-10), there have been instances where this has occurred in regard to ALR land in Richmond. Yet, while various non-government actors can lobby for change, at multiple scales of government, this research has shown that it is still ultimately up to the governments themselves to decide if change should occur and what form this change should take.

To what extent this consultation is adhered to has proved to be largely dependent on the political party in power at different government scales and on the political capital of individual politicians within these scales. In other words, Pond’s argument that “public policies and the instruments relied upon to deliver them reflect the institutional frameworks within which policy is developed as well as the influence of the

political and economic interests clustering around government” (Pond, 2009, p. 238), has been proved out in this case. Patterson’s argument that “the fortunes of planning in B.C. have historically tended to reflect the views and fortunes of the party in power” are also evident (Patterson, 1998, p. 731). The review of historical ALR policy creation undertaken in this study has shown that the NDP has been far more willing to regulate and enact policies to protect agricultural lands from non-agricultural uses when compared to the Social Credit and Liberal Party. However, this is not to say that the NDP has been immune to private interests. NDP policies are still impacted by private interests as shown by the Party’s grandfathering provisions for dwellings larger than the new 2019 provincial standard (Minister of Agriculture, 2018d, pp. 1, 4; Pacific Land Group, 2019a; City of Richmond, 2018e, p. 2).

Thus, Young’s assertion that private business “dominate policy making in Canadian municipalities,” and that their “preferences are generally reflected in the outputs of multi-level policy processes” (Young, 2013, p. 9) holds, to some degree. However, the multi-jurisdictional character of the ALR can also increase “public awareness” and opposition campaigns during application reviews (Jackson and Holden, 2013, pp. 4860-4862), as well as periods of policy change at multiple scales of government. In the case of Richmond, there have been some non-governmental actors, pushing for farmland protection from non-agricultural uses, whose preference have also been reflected in policy at various scales. In the City of Richmond, there is a deep-rooted history of farming in the community. There is also increasing public awareness of the scope of the issue in the past few years, partially as a result of increased media coverage, and a track record of successful opposition campaigns to prevent the conversion of agricultural lands to non-agricultural uses. Such farmland advocacy history, awareness and expertise at least partially explain why policy change happened recently in the City of Richmond, despite the city being nested in multiple scales of land use conflict and despite the inaction of other municipalities. This is especially true given the increased susceptibility of local governments to lobbying efforts when compared to other scales of government (Ministry of Agriculture Agrologist, personal communication, 2019).

Policy change also likely occurred in recent years as a result of a confluence of interests, to protect ALR lands, between various scales of government, resulting from the 2017 provincial election and the 2018 municipal elections. These elections led to a

turnover in political representation with new Councillors elected at the City and the NDP re-elected after a prolonged period of provincial Liberal government. These individuals and the NDP had a common goal of taking action to protect farmland from non-agricultural uses, which they partially ran their campaigns on (Horgan, 2017, p. 73; Local Planner, personal communication, 2019), providing them with the political capital and courage needed to enact policy change in the context of competing interests and land use conflict. Thus, this case has proven to be an exception to Young's argument that intergovernmental cooperation is "less likely for a year after municipal governments are newly elected" as such governments are "inward-looking and will take time to trust their counterparts at the other levels" (Young, 2013, p. 5). If political turnover results in a confluence of interests, it can increase cooperation and coordination between scales of governments, even soon after such turn over occurs.

Yet, policy that has been created in recent years has been reactionary in character as noted by some interview participants (Ministry of Agriculture Agrologist, personal communication, 2019). This is true at multiple scales of government and largely attributable to the multi-jurisdictional character of the ALR, which allows regulatory responsibility to be passed to other scales. The MLG framework of the ALR has therefore resulted in policies that are largely focused on reactively "fight[ing] the fires" as they emerge (Ministry of Agriculture Agrologist, personal communication, 2019). This is despite repeated warnings by staff, some local Councillors, and advocacy groups, dating back decades, that permissive policies at multiple scales of government could result in ALR lands increasingly being used for residential and accessory residential purposes (City of Richmond, 2010, p. 8; Griffin, 1975, p. 1; Local Councillor, personal communication, 2019). Although, steps have been taken in recent years, at least in the City of Richmond, to move from a reactive to proactive approach to protecting ALR lands from non-agricultural development. The City has enacted regulation that's more restrictive than Provincial standards, to ensure consistency between urban and agricultural areas, and is now proactively enforcing regulations applicable to ALR land (Local Councillor, personal communication, 2019). Yet, if history is any indicator, is unlikely that many other municipalities will follow the City of Richmond's lead in doing so, further illustrating the need for greater centralization with flexibility in ALR governance.

7.3. Cooperation and Coordination in an MLG Framework

As shown in this study, there are several challenges in protecting ALR land in an MLG context, related to transparency, trust, accountability, political will and reactionary policy creation and enforcement. While intergovernmental cooperation has occurred at the staff level, at the policy level cooperation and coordination has been less evident. For example, the federal government has continued to support the Port's purchase of farmland for industrial use (Campbell, 2015, p. 20), despite requests by municipalities, the Lower Mainland Local Government Association and the Union of BC Municipalities to prevent these purchases from occurring (City of Richmond, 2016, p. 2). Such action has also occurred despite policies at the municipal, regional and provincial scales to protect farmland, resulting in distrust of the Port and intergovernmental tensions.

Furthermore, while the presence of a regional government does theoretically provide an avenue for increased intergovernmental cooperation to limit the conversion of agricultural land to non-agricultural uses, the largely "voluntary" character of regional governance (McDougall, 2017, p. 15; Tomalty, 2002, p. 434), the challenges inherent in competing municipal interests and the large number of municipalities involved (Taylor & Burchfield, 2010, pp. 82-83), have resulted in a "lack of cooperation and coordination" in regional planning in practice (McDougall et al., 2017, p. 42). Moreover, while Metro Vancouver's land use strategies have the goal of protecting agricultural land from urban sprawl, the regional government has generally been the weakest link in the jurisdictional chain of the ALR. This is due to the voluntary nature of regional government and the fact that regulatory authority to limit residential and accessory residential development of ALR lands falls to municipalities, or to the Province if it so wishes.

The weakness of regional government, in this context, and the unwillingness to create policies restricting residential development of ALR lands, at the provincial scale, has resulted in inconsistent policies across municipalities. Such inconsistencies have allowed for increasing residential and accessory residential development of ALR lands and the "leapfrogging" of building permits to municipalities with fewer restrictions (City of Richmond, 2017a, pp. 3-4). For example, restrictions on the size of farmhouse sizes in the City of Delta, led to a rise in development in the neighboring City of Richmond, which had more permissive regulations at the time (Local Councillor, personal communication, 2019). Furthermore, provincial urban housing policies, aimed at curbing speculation in

the urban housing sector, such as the Foreign Home Buyers Tax, is not applied to farmland (City of Richmond, 2017e, p. 7; Chan, 2018a; Weaver 2018). The uneven application of these taxation policies has consequently made the residential use of farmland even more appealing (City of Richmond, 2017e, p. 7; Chan, 2018a; Weaver 2018). Therefore, not only is a lack of cooperation and coordination regarding policy creation evident between scales of government, it is also present across scales and between urban and agricultural areas within cities. While a recent confluence of interests across governments and increased political will has resulted in further regulatory restrictions to protect agricultural land, the continued significance of business interests has meant tempered policy reform at the provincial scale. For example, farm home plates and setbacks are still not regulated by the Province. While the City of Richmond now has such restrictions in place and has regulated below the provincial house size limit to unsure consistency with urban areas, it has largely been the exception, not the rule, with few other municipalities choosing to do so. Thus, regulatory variability, particularly between residential development allowances in urban and agricultural areas, continues to exist within many other municipalities like Surrey.

Smith & Stewart argue that “successful multi-level governance in Canada requires federal, provincial, and municipal governments cooperating,” and that such cooperation “means not just municipal governments doing the bidding of more senior governments, but also policy sometimes being directed from the bottom up” (Smith & Stewart, 2009, p. 184). In the case of the ALR in Richmond, it has been the recent electoral victories of different candidates and parties, at the municipal and provincial scales, receptive and supportive of further regulatory restrictions, that has allowed for such bottom up policy creation. Yet, while policy creation has recently occurred from the bottom-up, a top-down hierarchy continues to exist in terms of authority. This indicates that hierarchy does not necessarily preclude collaboration in an MLG context if interests between various scales of government are aligned. In other words, while the hierarchical relationship, between governments may result in lack of accountability (Young, 2013, pp. 8-9), and distrust (Brunet-Jailly & Arcand, 2016, p. 240), such challenges can be partially overcome when interests between government scales converge. In fact, when there is a lack of political will to act, hierarchy and intervention by higher order governments may be needed to ensure policy coordination between and within municipalities. Hierarchy in an MLG context can, therefore, also act as a “safety net” (Jackson and Holden, 2013,

pp. 4860-4862) if lower levels of government lack the political will or capital to create or change policies themselves.

Ultimately, Young argues that intergovernmental cooperation and coordination are needed for the creation of “good policy” that is “effective” and “congruent with local preferences” (Young, 2013, p. 4). In the context of the ALR, previous policies, or lack thereof, at multiple scales of government, resulted in increased non-agricultural uses of ALR land in Richmond particularly in the past two years. This period was one characterized by uncoordinated policy change between, across and within governments. Eventually, electoral turnover at multiple scales and a subsequent increase in political will, resulted in the creation of new policies by both the provincial government and the City of Richmond in 2018. These new policies are greater aligned with the preferences of the general public who wish to limit non-agricultural development of farmland. The impacts of these new policies, in terms of the extent and distribution of residential and accessory development on ALR, is outside the scope of this analysis. Yet, the inter-municipal consistency created by a provincial farmhouse limit and more restrictive regulation by the City of Richmond, which ensures consistency between urban and agricultural areas of the City, will likely result in the slowing of residential development of ALR land in years to come. While more action still needs to be taken by higher order governments to ensure consistency between and within cities, these new provincial and City of Richmond policies will likely be more effective in protecting ALR land from non-agricultural uses moving forward.

7.4. Recommendations

In this section, possible recommendations are presented to further address inconsistent policies, or lack thereof, which impact residential and accessory residential development of ALR lands. As shown in this study, the effectiveness of policies at one scale of government impact and are impacted by policies at other scales of government, across scales and within a certain scale. Increased cooperation and coordination are therefore needed to address the current challenges of protecting agricultural lands in an MLG framework. Such a framework is characterized by varying and, at times, overlapping jurisdictional authority as well as sometimes diverging and competing interests between, across and within these scales. While steps have already been taken

to address these challenges, still more can be done to increase cooperation and coordination further.

One way in which policy coordination can be increased is by a more central role for the provincial government. The creation of further province wide ALR regulation, would ensure greater consistency across the region. For example, the Province could create a regulatory maximum farm home plate size and setback to prevent the fragmentation of ALR plots and ensure that residential and residential accessory uses are placed close to the street. However, while a maximum home plate size and setback distance should be set by the Province, flexibility should also be allowed in the implementation of these limits by municipalities, similar to the flexibility allowed with the current Provincial farmhouse size limit. Such flexibility would allow municipalities to regulate below the Provincial benchmark to ensure regulatory consistency between agricultural and urban areas in their jurisdictions. Such an approach would help address the appeal of using ALR lands for residential purposes and prevent the “big house syndrome” from moving to other municipalities (Local Councillor, personal communication, 2019), while also taking into account feedback that “the Province could try to better identify and respond to the unique character of local government” (Local Planner, personal communication, 2019). Therefore, an approach of greater centralization with flexibility is proposed to further address the challenges inherent in farmland protection within a multi-jurisdictional context.

Greater integration of urban and agricultural policies is also needed between, across and within various scales. Protections for lease hold farmers could be put into place, similar to those created for urban renters by the Province (Local Councillor, personal communication, 2019). These protections could include measures to safeguard against evictions (Local Councillor, personal communication, 2019), set a maximum on rent increases and set the minimum term for farm lease contracts at above one year (FarmWatch Member, personal communication, 2019). Such actions may increase lease hold farmers sense of security, which could result in the increased participation of these non-governmental actors in public policy debates surrounding farmland protection.

Furthermore, rather than simply taxing land in the ALR used for residential purposes as residential, a punitive tax could be applied by the Province to parcels zoned for agriculture but used primarily for other purposes, as suggested by one interview

participant (Ministry of Agriculture Agrologist, personal communication, 2019). The income tax breaks, available to individuals living on ALR lands, could also be offered to farmers who live off site in urban areas as well. For example, it was suggested by one interview participant, that if an individual receives the majority of their income from farming, but lives in an urban area, their urban residence could be taxed at the same rate for assessment purposes as a residence owned by farmers who reside on ALR land (Ministry of Agriculture Agrologist, personal communication, 2019). These taxation changes may discourage residential development of ALR lands, maintaining more land for agricultural production.

Multiple scales of government should also ensure that policies created to curb speculation in the urban housing sector do not drive increased speculation of ALR lands, similar to what occurred with the provincial Foreign Home Buyers' tax (FarmWatch Member, personal communication, 2019). This would limit speculation of ALR land by local real estate developers, global development companies and foreign investors. In other words, greater and earlier consideration and mitigation of the impacts of urban-centered policies on agricultural areas is needed at multiple scales.

For increased policy coordination to occur within cities and between various levels of governments, a lack of intergovernmental transparency and accountability must also be addressed. Freedom of information requests should no longer be needed to ensure that informational studies or consultation conducted on the topic of the ALR are made available to cities and the public. Similarly, intergovernmental cooperation and greater transparency of Port operations is needed to address the Port's lack of accountability as well as regional and municipal distrust of this federal entity. As such, regional representation on the Port board should increase beyond the one representative currently in place and the reporting of Port operations to cities be permitted. The federal government should also prohibit the Ports purchase and development of ALR lands. Such intervention would provide some government leadership and guidance to future expansion, mitigating its negative impacts on the agricultural land base and the authority of local governing bodies.

In order to implement the recommendations presented here, political will and leadership at multiple scales of government is needed. Such increased political will and leadership can be achieved by continued, sustained political pressure from non-

governmental actors, seeking to protect farmland, through lobbying efforts as well as public awareness campaigns. The voting in of government representatives that are willing to take action to protect farmland from non-farm uses, in elections at multiple scales, will also assist in further protecting ALR land within an MLG framework. However, political pressure is more difficult to achieve at the federal scale where NGO efforts to protect ALR lands have the least influence. As a result, the federal government will likely continue to deprioritize farmland protection in favour of alternate land uses in Metro Vancouver. Policy action at the regional government scale, while allowing for consistency between municipalities, is also difficult to achieve due to a lack of regulatory authority when it comes to residential development on ALR lands as well as competing interests. However, the regional government continues to have a role to play in the ALR in terms of education, funding and data gathering efforts. On the other hand, municipalities are the most susceptible to public pressure from farmland advocates and are able to create further policies to protect farmland. Although, despite this authority, municipalities are likely to create policies in an inconsistent fashion given that they may not have the same history of farmland activism or the same political capital to protect farmland as that enjoyed by elected local councillors in the City of Richmond. This is especially true given that one of the City of Richmond's Councillors was himself an architect of the ALR. In other words, farmland protection efforts by NGO's and the general public may have different levels of success in different cities. The onus of regulatory responsibility, to further protect farmland within the current "multi-level government" context of the ALR must therefore fall on the Provincial government. The Province is both susceptible to public pressure, albeit to a lesser extent than municipalities, while also enjoying greater jurisdictional authority and funding, than local municipalities, to further protect farmland. For example, the Province has taxation powers not available to local governments. Provincial action would also address regulatory inconsistency between cities as well as urban and agricultural areas within cities, which as this study has shown has led to the increased conversion of farmland to non-farm uses. This is particularly true given that the introduction of provincial policies such as the Foreign Home Buyer's tax and Speculation tax, to reduce speculation in the urban housing market, have made farmland increasingly attractive for residential and accessory residential development. Furthermore, the ALR and the ALC were created by the Province and it is the Province that determines the funding, make-up and factors considered by the ALC in its decision-making process. Therefore, municipalities can and

should play a role moving forward by, for example, regulating below provincial limits to ensure consistency between urban and agricultural areas within cities. However, it is the Province that can and must take the lead to better protect farmland. Continued political will and leadership is, ultimately, needed for such provincial action to occur in the face of challenges related to policy creation within an MLG context.

Such challenges include: a lack of transparency and trust between various scales of government; a lack of accountability and political will by multiple levels of government to limit non-agricultural development; and the reactive nature of policy creation and enforcement at different scales of government. These challenges have resulted in the passing of regulatory responsibility between government scales, leading to regulatory inconsistencies between, across and within scales. In other words, these challenges within an MLG context have prevented or limited policy action to protect agricultural lands from non-farm uses. As has been shown by this case study, however, these challenges can be partially overcome through political pressure, leadership and a turnover in elected officials. Furthermore, it is the same MLG character of the ALR that has and can continue to allow for action to be taken at one scale when other scales of government lack the political will or leadership to act or for one local government to take action when others choose to maintain the status quo. This is especially significant given that NGO's can have varying levels of influence between and across government scales. The hierarchical imposition of authority by the Province has also resulted and can continue to result in greater regulatory consistency, indicating that despite criticisms of intergovernmental hierarchy in past scholarship, hierarchy is not necessarily an impediment to more effective policy creation, reflective of general public sentiment. In fact, the imposition of authority may be necessary when "soft power" approaches, namely, the provision of a "vision," or guidelines by central governments are not adhered to or are not implemented to the same degree by local governments. Hierarchy within an MLG context is a double-edged sword both complicating and facilitating policy creation. The oscillation between these two scenarios is determined by political will and leadership, which are in turn influenced by the involvement of NGO's.

This study, ultimately, has several implications for understanding the nature of MLG in B.C. and beyond. While there has been talk about implementing a horizontal approach to governing and involving new actors, in practice hierarchical relations between scales of government still shape and limit policy creation. The involvement of

NGO's is also determined by this hierarchical framework. As this study has shown, however, such hierarchy is not necessarily detrimental to policy creation and can in fact sometimes facilitate it, allowing for the implementation of a regional planning "Vision" despite competing interests between governments and between NGO's. In contrast to previous scholarship this study, therefore, proposes that a combination of both "soft" and "hard" power approaches are needed to overcome the challenges inherent in regional planning. However, central governments must possess the political will and leadership needed to act, requiring sustained political pressure. As was the case with the City of Richmond, NGO's representing public interests can and must exert pressure on governments at multiple scales in addition to raising public awareness of public policies. In so doing, NGO's can successfully influence policy creation at multiple scales, although to varying degrees.

This work also has significant implications for understandings of regional planning more generally. As this case study shows, regional planning cannot be done in isolation. All levels of government must be involved, and their interests aligned for the successful implementation of regional plans and a regional "Vision" within an MLG context. Planning for urban and agricultural areas, similarly, can not be completed in policy silos. The interconnectedness of policies between and across scales of government, as well as between urban and agricultural areas must be considered and cooperatively planned for in an MLG context. In other words, there must be a greater movement in regional planning towards the integrated, proactive planning of both urban and agricultural land uses. This shift is particularly necessary given the increased presence of "peri-urban" spaces such as the City of Richmond. While such coordination and cooperation are complicated by the challenges of policy creation within an MLG context, these challenges are not insurmountable. Ultimately, when such policy coordination and cooperation is achieved, farmland will no longer be seen as "urban land in waiting" by the general public but will also not be treated as such in practice through public policies.

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The Location of Some Significant ALR Exclusion Applications [map]. Scale 1:180,000. Data layers: Metro Vancouver: city boundaries; Agricultural Land Commission: Agricultural Land Reserve Boundaries and Agricultural Land Commission applications [computer files]. Simon Fraser University, Vancouver, BC: Generated by Sara Obidi, December 28, 2019. Using: ArcGIS for Desktop Advanced [GIS]. Version 10.6. Redlands, CA: Esri, 2012.

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Appendix A.

Key Policy Changes Related to the ALR and their Significance

Date	Provincial Government of the Time	Policy Decision	Significance to Non-Farm Use of ALR Lands
1867 and 1982		<i>Constitution Acts</i> 1987 and 1982	Outlines the distribution of powers between the federal and provincial governments. Section 95 states that both the Province and the Federal government can create agricultural legislation, but provincial legislation cannot contradict federal legislation
1949	Boss Johnson (December 1947-August 1952) from the Liberal Party	<i>Town Planning Act</i>	The Lower Mainland Regional Planning Board (LMRPB) was created by the Province. The LMRPB Expressed concerns surrounding the loss of agricultural land to non-farm uses, the inability of municipalities to address these concerns and called for more centralized planning through reports published in the 1950's and 1960's.
1963	W.A.C Bennett (August 1952-September 1972) from the Social Credit Party	Chance and Challenge published	Published by the LMRPB, it Introduced the regional "Cities in a Sea of Green Vision" that has continued to guide regional planning to this day.
1966	W.A.C Bennett (August 1952-September 1972) from the Social Credit Party	Official Regional Plan of the Lower Mainland Planning Area published	The first statutory regional plan, published by the LMRPB, which reflected the regional "Cities in a Sea of Green Vision." After the disbanding of the LMRPB, this planning vision was maintained by the Regional Districts
1965-1968	W.A.C Bennett (August 1952-September 1972) from the Social Credit Party	<i>Municipal Act</i> amendments	Regional Districts were created by the B.C. Minister of Municipal Affairs through amendments to the <i>Municipal Act</i> . Twenty-nine Regional Districts were eventually created, including the Greater Vancouver Regional District (later known as the Metro Vancouver Regional District). They replaced the Lower Mainland Regional Planning Board. The responsibilities of the Districts include regional land use planning. Amongst the goals of these regional districts has been the protection of agricultural land from non-farm uses.
1971	W.A.C Bennett (1952-1972) from	The Environment and Land Use Committee	This provincially created committee is responsible for increasing environmental awareness, studying land use, making recommendations to the Lieutenant-

Date	Provincial Government of the Time	Policy Decision	Significance to Non-Farm Use of ALR Lands
	the Social Credit Party	created through the <i>Environment and Land Use Act</i>	Governor in Council and ensuring that environmental perseverance is considered in land use and development decisions
1972-1973	Dave Barrett (September 1972-December 1975) from the New Democratic Party	Provincial Land “Freeze” brought in under the <i>Environment and Land Use Act</i>	Prevented the subdivision and non-farm use of agricultural parcels larger than two acres, lands zoned agricultural, lands taxed as agricultural and lands classified as CLI Class 1-4
1973	Dave Barrett (September 1972-December 1975) from the New Democratic Party	<i>Land Commission Act</i>	The Land Commission was created through the provincial <i>Land Commission Act</i> . The Land Commission was established with the goal of preserving agricultural lands and was given power to zone lands as agricultural and place them in an Agricultural Land Reserve (ALR). The federal Canada Land Use Inventory was, partially, used to identify lands to be placed in the Reserve. The decisions of the Commission did not take into consideration economic criteria and their decisions could only be appealed to the provincial Environment and Land Use Committee, with the support of two Commissioners. The Commission also had the secondary goals of preserving greenbelts, urban and industrial lands and parkland. Land had to be purchased by province to achieve these secondary objectives.
1973-1974	Dave Barrett (September 1972-December 1975) from the New Democratic Party	<i>Farm Insurance Act, Agriculture Credit Act, Farm Product Industry Act and Agricultural Land Development Act</i>	<p>The Commission bought land and leased it back to farmers with 20-year lease options and with the ability to purchase the land after three years.</p> <p>While direct compensation was not provided for the loss of potential income from the sale of farmland for development, income support packages were provided to farmers</p> <p>Golf courses were allowed in the ALR if the local regional district submitted an application and this application was approved by the Commission</p>
1975	Dave Barrett (September 1972-December 1975) from the New Democratic Party	Livable Region Plan	<p>The Livable Region Plan was implemented by the Greater Vancouver Regional District. Amongst the goals of the LRP was the preservation of farmland as well as the creation of “regional town centres” within which urban growth was to be concentrated</p> <p>ALR boundaries were substantially completed and approximately 4.7 million ha of agricultural land were placed in the ALR. The provincial “Land Freeze” was lifted for</p>

Date	Provincial Government of the Time	Policy Decision	Significance to Non-Farm Use of ALR Lands
			each Regional District after ALR designation was completed for the region and their ALR plans were approved by Cabinet
1977	Bill Bennett (December 1975-August 1986) from the Social Credit Party	<i>Land Commission Amendment Act (Bill 88)</i>	Resulted in significant funding cuts to the Commission, which was now called the Agricultural Land Commission. Secondary objectives of the original <i>Land Commission Act</i> were removed. The Commission no longer bought farmland and leased this land back to farmers. Farmer income support packages were cut. Direct appeals of ALC decisions to Cabinet were also now permitted.
1983	Bill Bennett (December 1975-August 1986) from the Social Credit Party	<i>Municipal Act</i> amendments	Regionally planning authority was removed by the Province
1988	Bill Vander Zalm (August 1986-April 1991) from the Social Credit Party	<i>Agricultural Land Commission Act 1979 Revised Statutes</i>	Golf courses were permitted on ALR lands with no application to the Commission needed
1992	Mike Harcourt (November 1991-February 1996) from the New Democratic Party	<i>Richmond Zoning & Development Bylaw No. 5300</i>	The City of Richmond established a 50-meter setback on ALR lands with no mention of accessory residential uses
1993	Mike Harcourt (November 1991-February 1996) from the New Democratic Party	<i>Cabinet Appeals Abolition Act</i>	Cabinet appeals of ALR decisions no longer permitted but appeals to B.C. Supreme Court still allowed based on issues of jurisdiction and legality. Golf Courses once again require an application to the ALC
1994	Mike Harcourt (November 1991-February 1996) from the New Democratic Party	<i>Agricultural Land Commission Amendment Act (Bill 30)</i>	The Commission permitted to delegate decision-making authority regrading non-farm use and subdivisions to local governments or authorities, with agricultural plans and agriculturally supportive bylaws in place. Introduced requirements for public input before exclusion application decisions are made
1995	Mike Harcourt (November 1991-February 1996)	<i>Growth Strategies Statutes Amendment Act</i>	Regional planning restored, but consensus is now required before action can be taken

Date	Provincial Government of the Time	Policy Decision	Significance to Non-Farm Use of ALR Lands
	from the New Democratic Party		
1996	<p>Mike Harcourt (November 1991-February 1996) from the New Democratic Party</p> <p>Gen Clark (February 1996-August 1999) from the New Democratic Party</p>	<p>Livable Region Strategic Plan</p> <p><i>Local Government Act</i></p> <p><i>Farm Practices Protection (Right to Farm) Act</i></p> <p><i>Land Title Act</i></p>	<p>Livable Region Strategic Plan was approved. Municipalities in the region held to standards and goals listed in the Livable Region Strategic plan</p> <p>The <i>Local government Act</i> replaced the <i>Municipal Act</i> and continues to be the primary legislation for regional districts, outlining their governance, powers and responsibilities. This <i>Act</i> also outlines land use planning and zoning powers for local governments. It grants municipalities the ability to withhold building permits. This <i>Act</i> states that the purpose of regional growth strategy is “maintaining the integrity of a secure and productive resource base, including the agricultural land reserve”</p> <p>Municipalities cannot restrict “normal farm practices” on agricultural land as a result of the <i>Right to Farm Act</i></p> <p>As a result of the <i>Land Title Act</i>, land ownership is documented through the Land Title and Survey Authority</p>
1999	<p>Gen Clark (February 1996-August 1999) from the New Democratic Party</p> <p>Dan Miller (1999-2000) from the New Democratic Party</p>	<p><i>Agricultural Land Commission Amendment Act (Bill 70)</i></p>	<p>Province clarified the meaning of “provincial interest” and when it could be invoked. The “balancing test,” used to determine whether an application is in the “provincial interest” was altered so that the preservation of agricultural lands and promotion of agricultural uses was given higher priority than other cultural and socio-economic factors. The province was also now required to hold public hearing in six regions of the province before Cabinet could over-rule and ALC decision</p>
2000	<p>Dan Miller (August 1999-February 2000) from the New Democratic Party</p>	<p><i>Land Reserve Commission Act</i></p>	<p>The Forest Land Commission and the Agricultural Land Commission were combined into one Land Reserve Commission</p>
2002-2003	<p>Gordan Campbell (June 2001-March</p>	<p><i>Agricultural Land Commission Act &</i></p>	<p>One province-wide Commission was turned into three-person regional panels to increase regional representation. The merging of the ALC with the Forest Land</p>

Date	Provincial Government of the Time	Policy Decision	Significance to Non-Farm Use of ALR Lands
	2011) from the Liberal Party	Agricultural Land Reserve General Regulation City of Richmond Agricultural Viability Strategy	Commission, which took place in 2000 was reversed. Funding was cut for the ALC and ALC application procedures were set out. "Community Need" was introduced in the 2003 ALC service plan, allowing for the approval of up to a 10 th of a percent of ALR land to be excluded, over a three-year period based on this reasoning. The Commission could place socio-economic considerations ahead of agricultural ones when making decisions The Agricultural Viability Strategy identifies local initiatives to protect agricultural land
2004	Gordan Campbell (June 2001-March 2011) from the Liberal Party	Community Charter	Outlines the powers, areas of responsibility (including property taxation, bylaw creation and enforcement) and governance of municipalities.
2009	Gordan Campbell (June 2001-March 2011) from the Liberal Party	<i>City of Richmond Zoning Bylaw 8500</i>	The City of Richmond included accessory residential uses in the 50-meter setback
2010	Gordan Campbell (June 2001-March 2011) from the Liberal Party	<i>City of Richmond Zoning Bylaw 8500 (Amendment 8581)</i>	The City of Richmond bylaw change requiring accessory residential uses to be included in the 50-meter setback was rescinded with the local AAC supporting this reversion
2011	Gordan Campbell (June 2001-March 2011) from the Liberal Party Christy Clark (2011-2017) from the Liberal Party	<i>Misc. Statues Amendment Act</i>	Placed a five-year moratorium on repeat applications to the ALC and increased the enforcement capability of the ALC. Increased funding for the ALC was also provided
2014	Christy Clark (March 2011-July 2017) from the Liberal Party	<i>Agricultural Land Commission Amendment Act (Bill 24)</i>	The ALR was divided into two zones. Zone 1, which included the City of Richmond, saw very few changes but in Zone 2, covering the interior, Kootenay and Northern BC, the Commission was now required to consider socio-economic objectives in its decisions. Residential leases were allowed so that retiring farmers could stay on

Date	Provincial Government of the Time	Policy Decision	Significance to Non-Farm Use of ALR Lands
			their properties. A second single family dwelling on lots 50 hectares or larger were also permitted.
2016	Christy Clark (March 2011-July 2017) from the Liberal Party	Foreign Home Buyers Tax	Introduced to curb speculation in the urban housing market. However, this tax is not applied to lands classified as farm, making such land more attractive for development
2017	John Horgan (July 2017-Present) from the New Democratic Party	<p><i>City of Richmond Zoning Bylaw 8500 (Amendments 9707, 9712, 9717)</i></p> <p><i>City of Richmond Official Community Plan Bylaw 9000 (Amendment 970)</i></p>	<p>The City of Richmond while maintaining a 50-meter setback and a limit of one principle residence per ALR lots, amended local bylaws to set a home plate size limit of 50% of a parcels area for lots less than 0.2 ha, 10,763 ft² on lots 0.2 ha to 1.0 ha, 10% of a parcels area for lots between 1.0 ha to 2.0 ha, and a 0.2 ha on lots 2.0 ha or greater. Furthermore, the City chose to set a 5,382 square feet limit for all residential buildings (including the principal house garage and accessory residential buildings) on lots less than 0.2 ha and a 10,764 square foot limit for homes on lots 0.2 ha or greater. Previously the only limit placed on residential development on an ALR parcel was that it could not exceed a 0.6 FAR</p> <p>The policy of protecting farmland and enhancing its viability was added to the local OCP</p>
2018	John Horgan (2017-Present) from the New Democratic Party	<p>Speculation Tax Introduced</p> <p><i>City of Richmond Zoning Bylaw 8500 (Amendments 9965, 9966, 9967 & 9968)</i></p>	<p>Introduced in the provincial 2018 budget to address the affordability of urban housing and curb speculation, by targeting individuals who own residences in B.C., which are not their primary residence or are not rented out.</p> <p>The City of Richmond set a 400 m² farmhouse size limit, regardless of lot size. A 1,000 m² home plate size maximum for lots 0.2 ha or larger (including the entire sewage septic system) was created. For lots smaller than 0.2 ha, the home plate was restricted to 50% of the lot area. The rear edge of the home plate can have a maximum setback of 75 m, measured from the front lot line and the maximum primary dwelling setback is 50 m from the road. The maximum farmhouse footprint was set to 60% of the maximum farmhouse size permitted. The maximum number of stories for a principle dwelling was reduced from two and a half to two and the maximum building height is reduced from 10.5 m to 9.0 m.</p>
2019	John Horgan (2017-Present)	<i>Agricultural Land Commission</i>	The ALR was once again a single zone with agricultural considerations as the focus in decision making. One Agricultural Land Commission with 16 members including the Chair was created. Representation was pulled from 6 regional panels. The

Date	Provincial Government of the Time	Policy Decision	Significance to Non-Farm Use of ALR Lands
	from the New Democratic Party	<i>Amendment Act</i> (Bill 52)	Committee Chair is given 60 days to review a decision and direct the Executive Committee to reconsider it. The decision can be confirmed, reversed or varied. A 500 m2 size limit was also placed on the principle farmhouse but municipalities can regulate below this limit. Only one principle residence is allowed on a lot with all additional dwellings needing ALC approval. In some cases, the placement and removal of fill can be undertaken without ALC approval. A new non-adhering residential use application and Notice of Intent Process was also introduced.

Note. Data for figures from the Agricultural Land Commission (2000-2019d), the City of Richmond (2009-2019b), Garrish (2002/2003), Jackson & Holden (2013), Patterson (2006), MemoryBC (n.d.), Runka (2006), Smith & Oberlander (2009)

Appendix B.

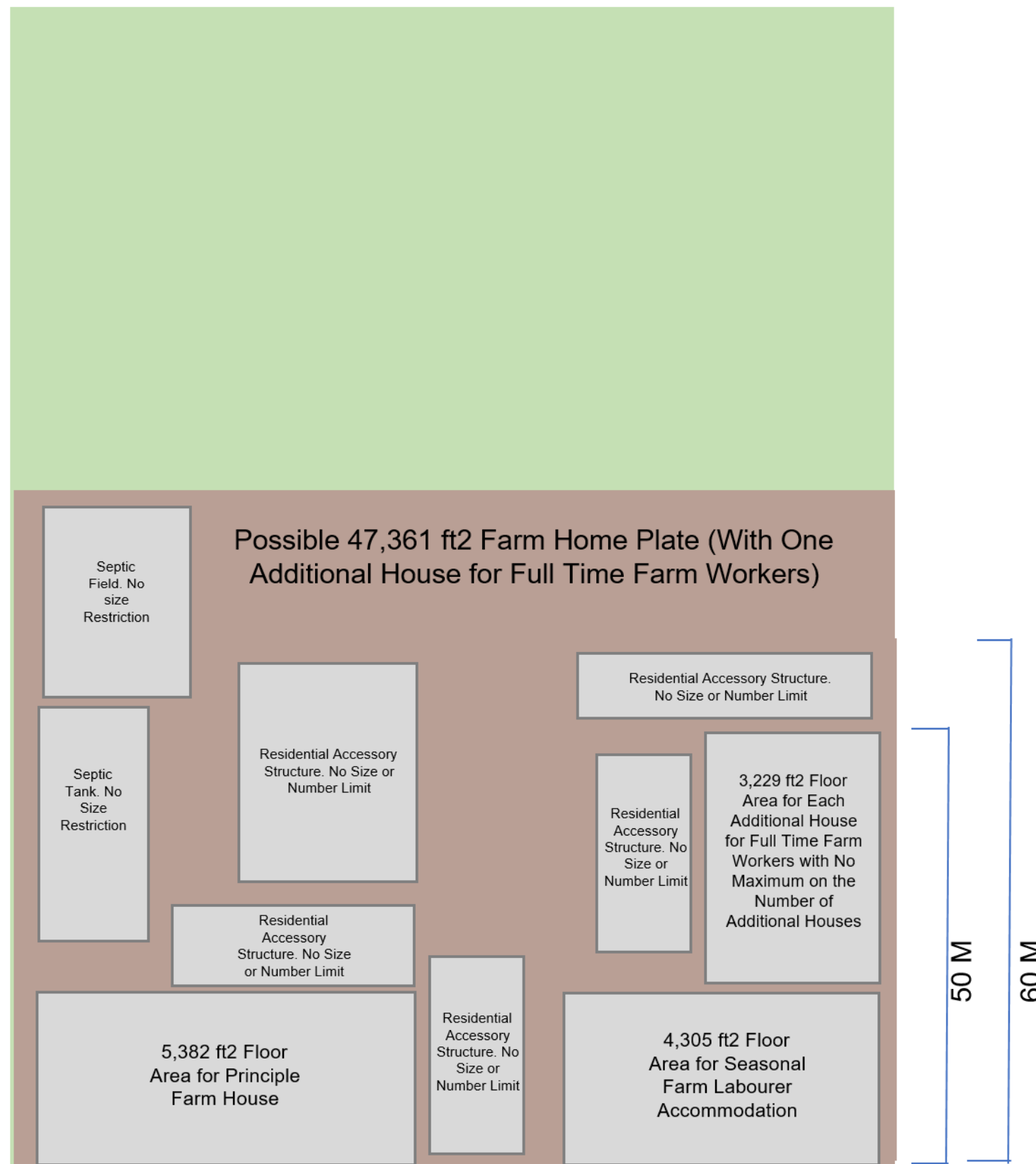
ALR Housing Regulations in Selected Metro Vancouver Municipalities as of March 2017 Compared to the Provincial Guidelines

Item to Regulate	Type of Structures	Existing Ministry of Agriculture	Existing Corporation of Delta	Existing City of Surrey	Existing Port Coquitlam	Existing Maple Ridge	Existing City of Richmond
Buildable Setback (Maximum)	All houses including seasonal farm labour accommodation	50 m (164 ft)	50 m for a house, and 100m (328 ft ²) for a house and seasonal farm labour accommodation	50 m (164 ft)	50 m (164 ft)	50 m for a house. The max distance between the SFD and any of the additional workers house, secondary suite, boarding, and bed & breakfast uses shall not exceed 20 m.	50 m (164 ft)
	Accessory residential buildings and structures (e.g., pools, garages, septic tanks)	60 m (197 ft)	60 m (197 ft)	60 m (197 ft)	On lot width of more than 33m (108 ft), up to 60 m (197 ft) with accessory facilities	60 m (197 ft)	Distance between house and accessory building from 1.2m-50 m (4ft -164 ft)
Farm Home Plate (Maximum)	Principal house (one per lot)	2000 m ² (21,528 ft ²)	3,600 m ² (38,750 ft ²)	2000 m ² (21,528ft ²) for one house and accessory residential buildings. Additional houses and seasonal farm labour accommodations are not permitted.	The greater of 10% of the lot area, or 1000 m ² (10,784 ft ²). 10% of the lot area can be used up to a maximum of 2,000 m ² (21,528 ft ²). Additional houses and seasonal farm labour accommodations are not permitted.	2000 m ² (21,528ft ²) for one SFD, additional house, secondary suite, detached garden suite, and bed and breakfast uses sited within farm home plate. Seasonal Farm Labour Accommodations not permitted.	The Farm Home Plate is not currently regulated in the Richmond Zoning Bylaw
	Additional House(s) for full-time farm workers	Plus 1000 m ² (10,784 ft ²) for each additional house (where permitted by the local government)	Plus 1,400 m ² (15,070 ft ²) if there are two houses (only one additional house permitted for a full-time farm worker)				
	Seasonal Farm Labour Accommodation for temporary farm workers	Plus 35 m ² (376.7 ft ²) for each temporary worker's residence up to 1,400 m ² (15,069 ft ²) (where permitted by the local government)	Plus 1,400 m ² (15,070 ft ²) (only one building permitted on a lot size greater than 8 ha)				
House Size (Maximum Floor Area)	Principal House (one per lot)	Lesser of a floor area comparable with urban areas, or 500 m ² (5,382 ft ²)	On lots less than 8 ha (20ac.), 330m ² (3,562 ft ²) On lots 8 ha or greater, 465m ² (5,005 ft ²)	Not specified	Max. floor area of 500 m ² (5,382 ft ²) for SFD Max. floor area of 90 m ² (969 ft ²) for accessory buildings	Max. floor area of 650 m ² (6,996.5 ft ²) for SFD Max. floor area of 279 m ² or 10%, whichever is lesser, for accessory buildings	A maximum 0.6 floor area ratio (FAR) for residential and farm buildings, except where greenhouses are located on the lot, in which case the maximum FAR would be 0.75, of which at least 0.70 FAR must be used for greenhouses
	Additional House(s)	300 m ² (3,229 ft ²) for each additional house (where permitted by the local government)	On lots less than 8 ha, 180m ² (1,937ft ²) On lots 8 ha or greater, 233m ² (2,508 ft ²)	Not permitted	Max. floor area of 250 m ² (2,692 ft ²) for additional houses	Max. floor area of 279 m ² or 10%, whichever is lesser, for additional houses	
	Seasonal Farm Labour Accommodation	15 m ² (161 ft ²) for each occupant of a seasonal farm labour accommodation up to a total area of 400 m ² (4,305ft ²) (where permitted by the local government)	10 m ² (107 ft ²) for each occupant of a seasonal farm labour accommodation (only one building permitted on a lot size greater than 8 ha) with a total floor area of up to 420 m ² (4,521ft ²) per farm	Not permitted	Not permitted	Not permitted	10 m ² (107 ft ²) for each occupant (only one building permitted on a lot size greater than 8 ha; subject to rezoning to AG3) with a total floor area of up to 400 m ² (4,305.5 ft ²) per farm
		A maximum of 40 occupants per farm	A maximum of 42 occupants are permitted				A maximum of 40 occupants are permitted
Farm-Related Buildings (e.g. barns, stables)		Permitted subject to local government setback regulations	Permitted subject to setback and site coverage regulations	Permitted subject to setback regulations	Permitted subject to setback and site coverage regulations	Permitted subject to setback and site coverage regulations	Permitted subject to 0.6 FAR minus residential building size and setback regulations
Septic System (subject to Vancouver Coastal Health regulations)		Not specified	Septic tanks are included within the 60 m buildable setback (residential accessory structure)	Not specified	Not specified	Not specified	Siting of septic fields and tanks is not currently regulated in the Richmond Zoning Bylaw

Source. The City of Richmond, 2017c, p. 13

Appendix C.

Diagrams Illustrating Policy Changes Related to the Residential Development of ALR Lands

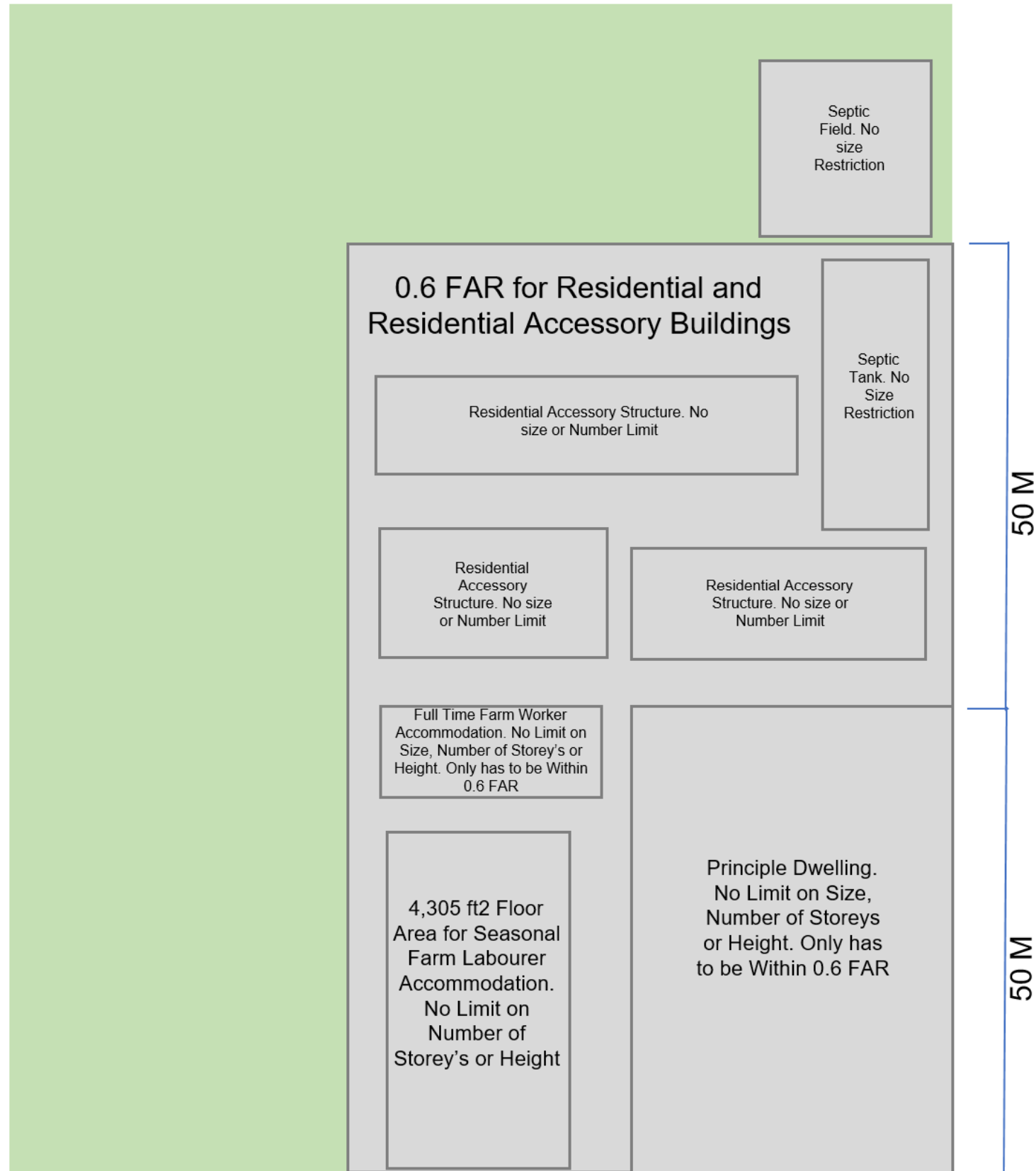


- Sitting:**
- 50 m setback for all dwellings including seasonal farm labor accommodation
 - 60 m setback for accessory residential buildings and structures (e.g. septic tanks, pools, garages, driveways, landscaping). This does not include the septic field. 60 m may be exceeded for up to the maximum farm home plate area, for lots narrower than 33 m
- Maximum Home Plate Size:**
- 2,000 m² (21,528 ft²) for principal dwelling regardless of lot size
 - Plus 1,000 m² (10,764 ft²) for each additional house for full time farm workers (where permitted by local government)
 - Plus 35 m² (376.7 ft²) for each seasonal farm laborer accommodation up to 1,400 m² (15,069 ft²) (where permitted by local government)
 - Total development possible with one additional house = 4,400 m² (47,361 ft²)
 - All accessory residential structures including septic fields and tanks are located in the farm home plate
- Maximum Size of Buildings:**
- Principal house is the lesser of a floor area comparable with urban areas or 500 m² (5,382 ft²) regardless of lot size. This does not include septic fields, garages or other accessory residential buildings
 - Each additional house for full time farm workers is 300m² (3,229 ft²) (where permitted by local government)
 - 15 m² (161 ft²) for each occupant of a seasonal farm laborer accommodation up to a total of 400 m² (4,305 ft²)
 - No size restrictions for accessory residential buildings or structures
- Maximum Number of Buildings:**
- One principle dwelling
 - No maximum number of seasonal farm laborer accommodation
 - No maximum number of additional houses for full time farm workers (left up to local government)
 - No maximum number restriction for accessory residential buildings or structures

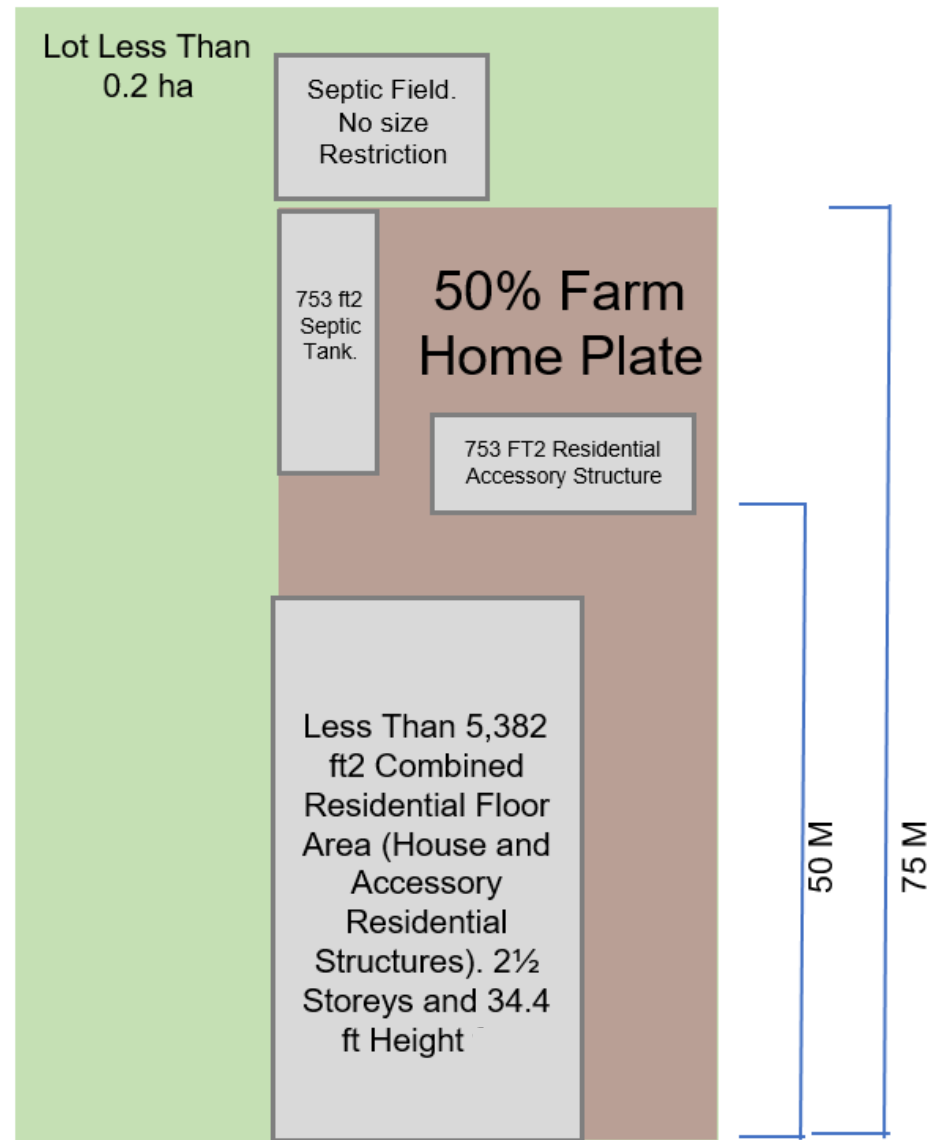
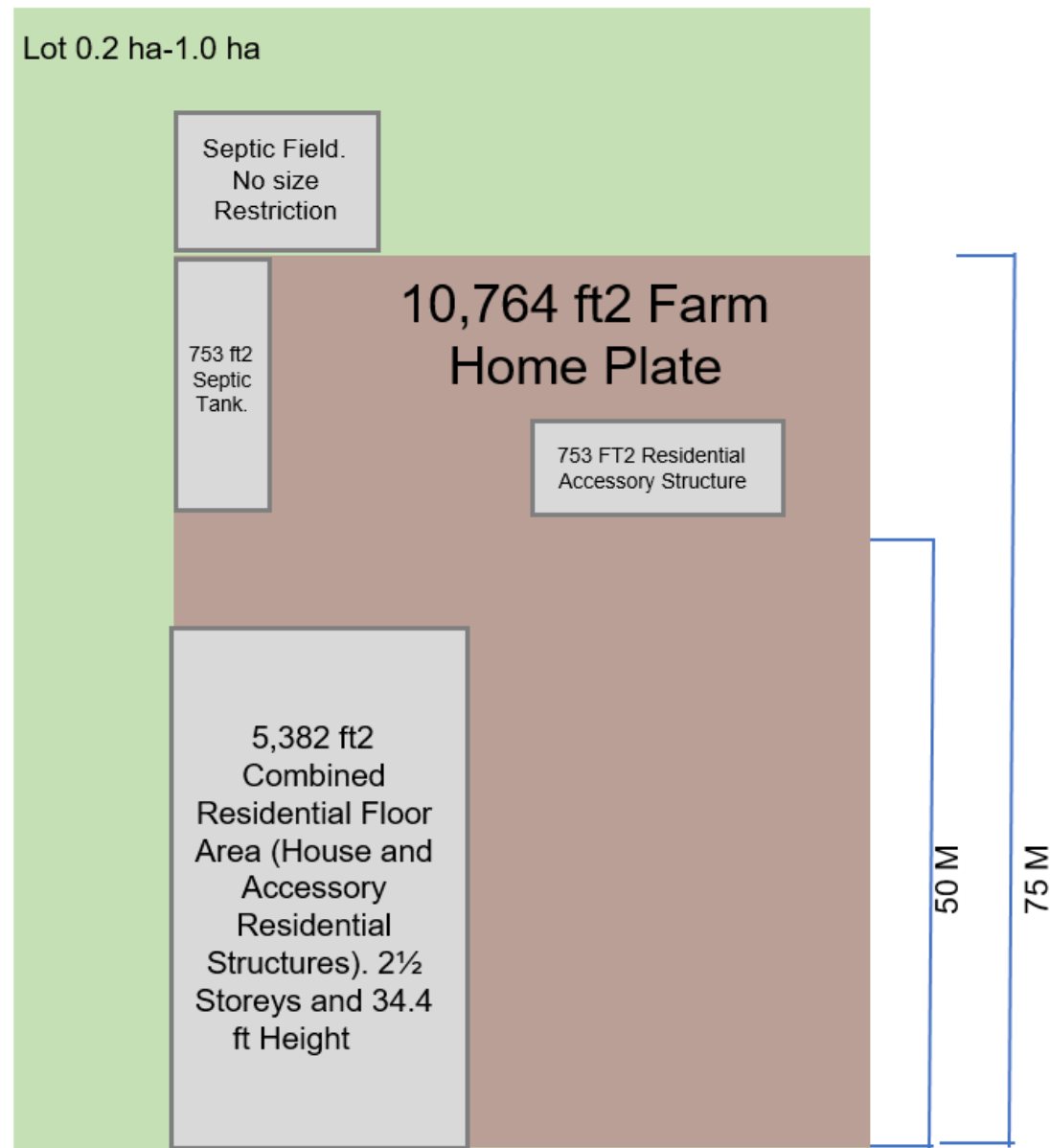
Provincial Regulations (In Effect February 22, 2019)



- Sitting:**
- No mandatory siting regulations
- Maximum Home Plate Size:**
- Reduced the maximum area from which "soil is removed or on which soil is placed" for residential construction to 1,000 m². If this limit is exceeded, a Notice of Intent is required, and a fee paid
 - No mandatory home plate regulations
 - No mandatory septic field regulations
- Maximum Size of Buildings:**
- Principal house has a maximum floor area of 500 m² (5,382 ft²) regardless of lot size. This does not include septic fields, detached garages, attached garages and enclosed carports to a cumulative maximum of 42 m², or other accessory residential buildings
 - No mandatory regulation for the size of additional houses for farm workers
- Maximum Number of Buildings:**
- One principle dwelling. However, exemptions that "would support farming" are still permitted when approved by the local government and ALC
 - No mandatory regulation of the maximum number of farm laborer accommodation, but allowed if approved by local government and ALC
 - No mandatory regulation of the maximum number of accessory residential buildings or structures

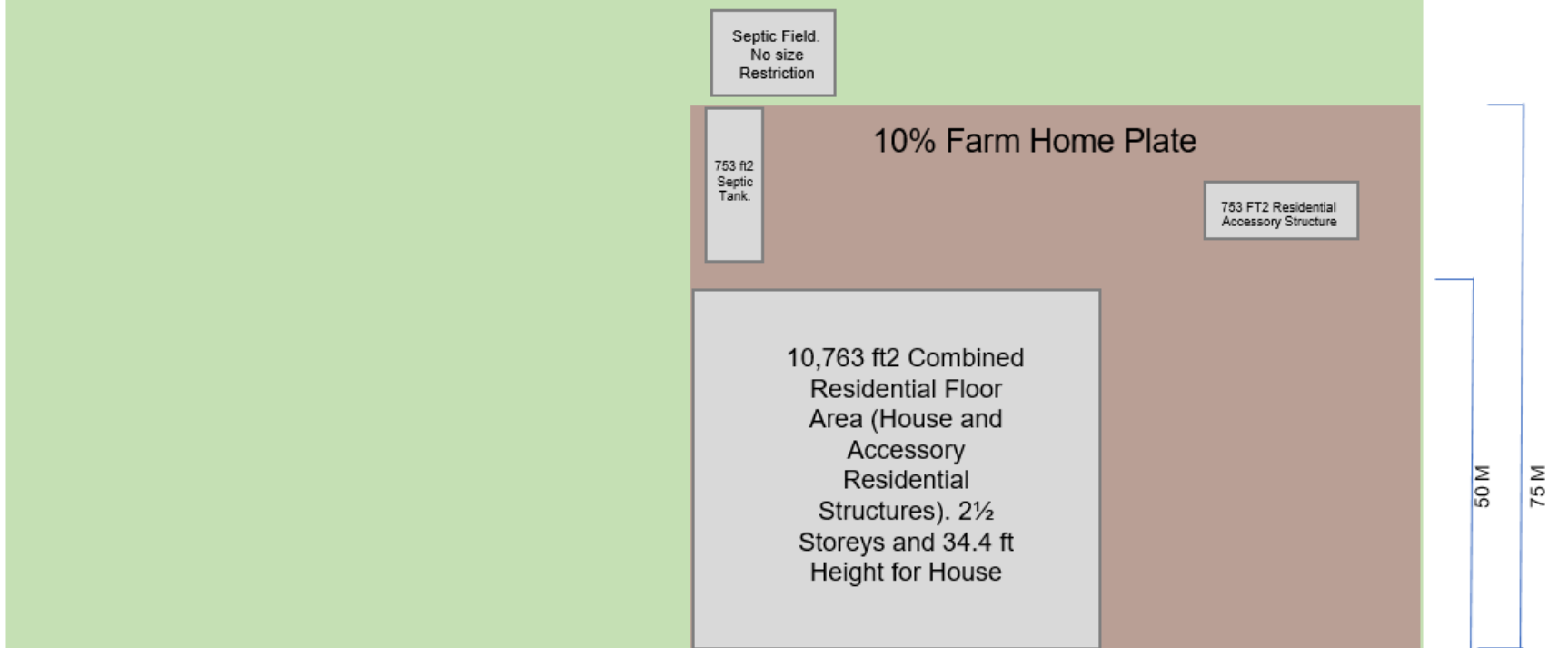


- Sitting:**
- 50 m setback for all dwellings including seasonal farm labor accommodation
 - 1.2 m – 50 m distance between house and accessory residential buildings and structures (e.g. septic tanks, pools, garages, driveways, landscaping). This does not include the septic field
- Maximum Home Plate Size:**
- No home plate regulations
 - No septic field regulations
- Maximum Size of Buildings:**
- 0.6 Floor Area Ratio for residential and farm buildings except where greenhouses are located on the lot, in which case the maximum FAR would be 0.75 of which at least 0.70 FAR must be used for greenhouses.
 - 10 m² (107 ft²) for each occupant of a seasonal farm laborer accommodation up to a total floor area of 400 m² (4,305 ft²) per farm
 - No size restrictions for accessory residential buildings or structures as long as within 0.6 FAR density
 - No restriction on number of storey's or height for any residential buildings
- Maximum Number of Buildings:**
- One principle dwelling
 - One additional accommodation for full time farm workers on lot 8 ha – 25 ha, two additional accommodations on a lot 25 ha – 30 ha, and three additional accommodations on a lot 30 ha or greater, if justified and approved by a certified agrologist
 - One additional house for seasonal farm laborer accommodation
 - No maximum number of accessory residential buildings or structures

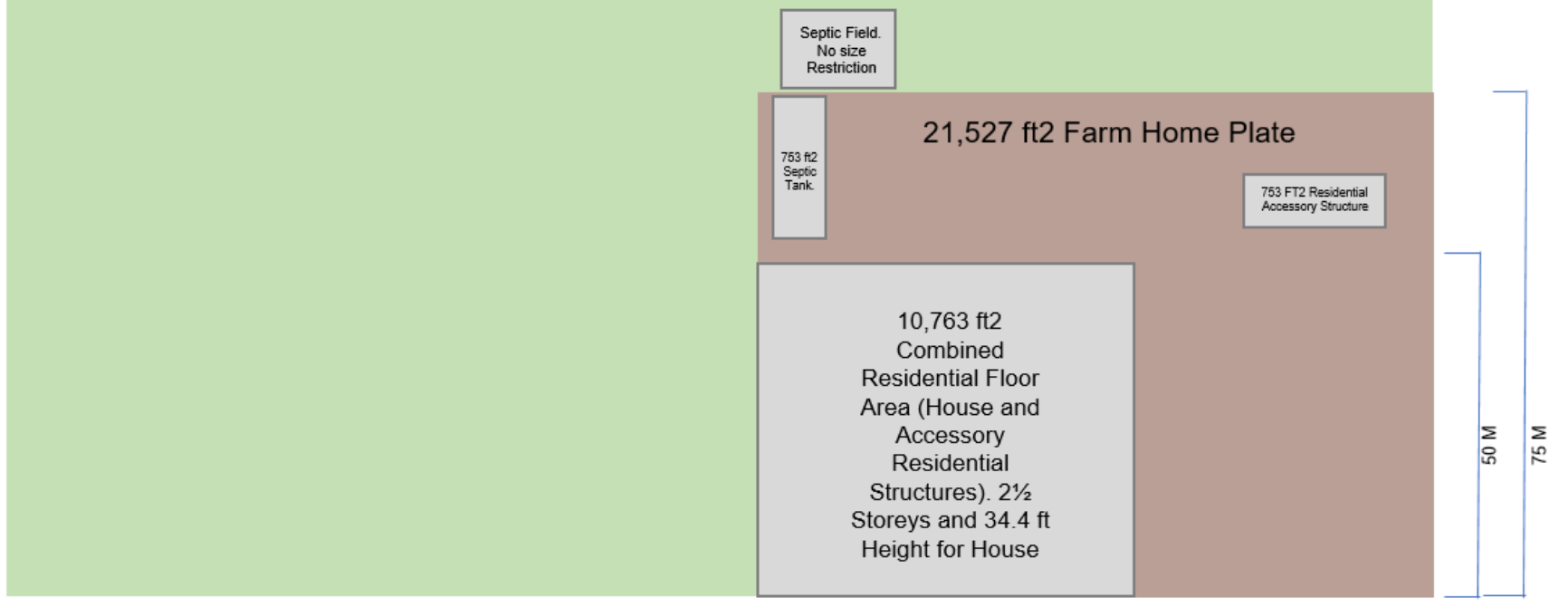


- Sitting:**
- 50 m setback for the principle dwelling
 - 75 m setback for the farm home plate including accessory residential buildings and structures (e.g. septic tanks, pools, garages, driveways, landscaping). This does not include the septic field
- Maximum Home Plate Size:**
- 50% of lot area for lots less than 0.2 ha (would be less than 10,764 ft²)
 - 1,000 m² (10,764 ft²) for lots 0.2 ha to 1.0 ha
 - 10% of lot are for lots 1.0 ha to 2.0 ha (would be between 10,764 ft² to 21,527 ft²)
 - 2,000 m² (21,527 ft²) for lots larger than 2.0 ha
 - Septic fields are not located in the farm home plate, but septic tanks and other accessory residential buildings and structures are
- Maximum Size of Buildings:**
- Less than 500 m² (5,382 ft²) for lots less than 0.128 ha
 - 500 m² (5,382 ft²) for lots 0.128 ha to 0.2 ha
 - 716 m² (7,708 ft²) to 1,000 m² (10,763 ft²) for lots 0.2 ha to 0.29 ha
 - 1,000 m² (10,763 ft²) for lots 0.29 ha or above
 - 70 m² (753 ft²) for each accessory residential structure, which is included in the maximum floor area allowed for residential buildings
 - 2 ½ storeys and 10.5 m (34.3 ft) maximum height for a house
- Maximum Number of Buildings:**
- One dwelling per lot
 - But additional accommodations for full time farm workers allowed through rezoning if lot is 8 ha or larger and if justified and approved by a certified agrologist. On June 18, 2018, limits of a maximum one additional accommodation for full time workers with a maximum farm home plate of 600 m² and maximum house size of 300 m² was set
 - No maximum number of accessory residential buildings or structures

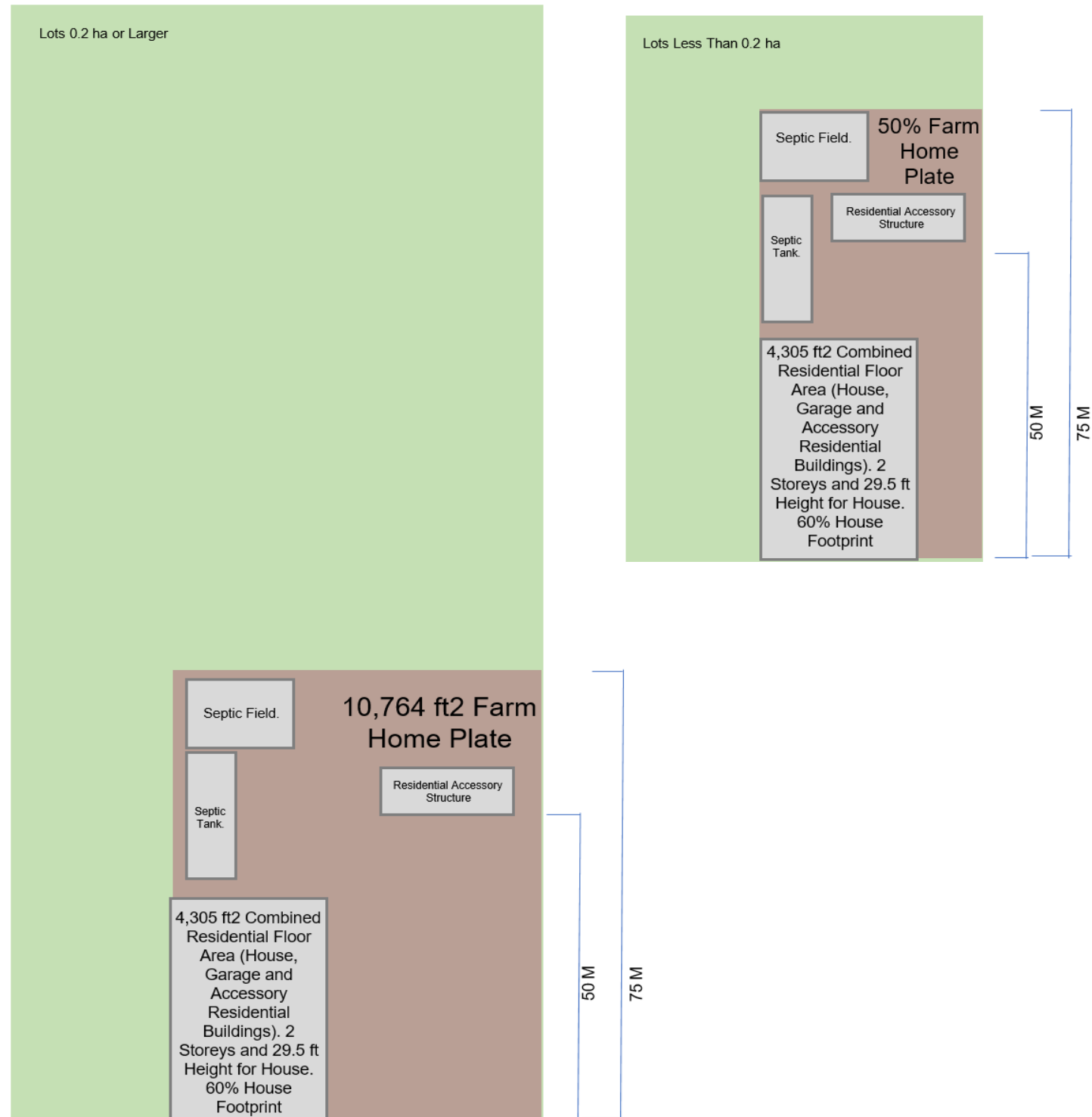
Lot 1.0 ha-2.0 ha



Lot Larger Than 2.0 ha



City of Richmond Regulations (November 13, 2019-Present)



Note. Data for figures from the Agricultural Land Commission and the City of Richmond (2009-2019)

Sitting:

- 50 m setback for principle dwelling
- 75 m setback for farm home plate including accessory residential buildings and structures (e.g. septic tanks, pools, garages, driveways, landscaping). This includes the septic field

Maximum Home Plate Size:

- 50% of lot area for lots less than 0.2 ha (would be less than 10,764 ft²)
- 1,000 m² (10,764 ft²) for lots 0.2 ha or greater
- Septic fields, septic tanks and other accessory residential buildings and structures are located in the farm home plate

Maximum Size of Buildings:

- Less than 400 m² (4,305 ft²) regardless of lot size. This includes the garage and accessory residential buildings
- Maximum farmhouse footprint is 60% of the farmhouse size
- 2 storeys and 9.0 m (29.5 ft) maximum height for a house


Maximum Number of Buildings:

- One dwelling per lot
- But additional accommodations for full time farm workers allowed through rezoning if lot is 8 ha or larger and if justified and approved by a certified agrologist. On June 18, 2018, limits of a maximum one additional accommodation for full time workers with a maximum farm home plate of 600 m² and maximum house size of 300 m² was set
- No maximum number of accessory residential buildings or structures

Appendix D.



Real Estate Ad for ALR Property in the City of Richmond

4/28/2017
MLS® R2160273, 6571 No 7 Road, Richmond, House with Acreage For Sale



\$2,770,000
Est. \$10,042 /month
25 yrs - 2.99% - \$554,000 down

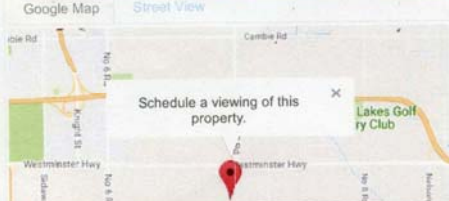
6571 No 7 Road, Richmond V6W 1E8 MLS® R2160273
5 Bedrooms 2 Full Bathrooms 2,590 Sq Ft Built: 1970 (47 yrs)

Don't miss this chance to build a real mansion 15 min from Downtown Vancouver. This quiet and secluded around 4 acre parcel is waiting to be developed into an estate property for a king. Building plans for a 12,000 sq ft English Mansion have been approved by the City before bylaws were changed to curb large homes on ALR land. The house boasts a 6 car garage, a 24 seat theatre and 9 bedrooms, 10 bathrooms, 22' ceiling and large glass window looking out into the 1,000 foot long backyard. Set up your own private driving range, build a swimming pool, a cabana or a tennis court. It's all permitted on ALR land and because of the farm status, you pay no property tax. Subdivide potential. ****DOUBLE EXPOSURE, ALSO AVAILABLE AS AGR BUSINESS, #C8012023****

Property Info
Property Tax Est: \$1,001

Neighbourhood
East Richmond



Don't miss this chance to build a real mansion 15 min from Downtown Vancouver. This quiet and secluded around 4 acre parcel is waiting to be developed into an estate property for a king. Building plans for a 12,000 sq ft English Mansion have been approved by the City before bylaws were changed to curb large homes on ALR land. The house boasts a 6 car garage, a 24 seat theatre and 9 bedrooms, 10 bathrooms, 22' ceiling and large glass window looking out into the 1,000 foot long backyard. Set up your own private driving range, build a swimming pool, a cabana or a tennis court. It's all permitted on ALR land and because of the farm status, you pay no property tax. Subdivide potential. ****DOUBLE EXPOSURE, ALSO AVAILABLE AS AGR BUSINESS, #C8012023****

This house with acreage home located at 6571 No 7 Road, Richmond is currently for sale and has been available on Zolo.ca for 6 days. This property is listed at \$2,770,000 with an estimated mortgage of \$9,739* per month. It has 5 beds, 2 bathrooms, and is 2,590 square feet. The property was built in 1970. 6571 No 7 Road is in the East Richmond neighborhood Richmond. Pender Harbour Egmont, Pender Harbour Egmont and Sechelt District are nearby neighborhoods.

Listed By: Royal Pacific Realty Corp.

Source: Royal Pacific Realty Corp., 2017