

ITEM	3
MANAGER'S REPORT NO.	12
COUNCIL MEETING	95/03/13

TO: CITY MANAGER 1995 MARCH 07

FROM: DIRECTOR PLANNING & BUILDING OUR FILE: 02.120.1

**SUBJECT: PROPOSED AMENDMENT TO THE MINIMUM LOT AREA IN THE A3 TRUCK GARDENING DISTRICT AND INCLUSION OF LANDS IN THE AGRICULTURAL LAND RESERVE**

**PURPOSE:** To provide Council with information in support of a proposal to amend the minimum lot area in the A3 zoning district and to recommend that certain lands be included in the Agricultural Land Reserve.

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**RECOMMENDATIONS:**

1. **THAT** Council authorize a Bylaw to be prepared amending the minimum lot area in Section 603.1(2)(a) and Section 603.4 of the Burnaby Zoning Bylaw No. 4742 (A3 Truck Gardening District) from 2 hectares (4.9419 ac.) to 1.8 hectares (4.448 ac.).
2. **THAT** this Bylaw be advanced to First Reading on 1995 April 03 and to a Public Hearing on April 25 at 7:30 p.m.
3. **THAT** Council recommend to the Provincial Agricultural Land Commission that the lands referenced on Figure 4 **attached** be included in the Agricultural Land Reserve.
4. **THAT** a copy of this report be forwarded to:

*Mr. K.B. Miller  
Chair and General Manager  
Provincial Agricultural Land Commission  
133 - 4940 Canada Way  
Burnaby, B.C. V5G 4K6*

**REPORT**

**1.0 BACKGROUND**

Approximately 180 acres are currently in agricultural use in the Big Bend area. These lands are highly productive and valued from an economic, environmental and cultural viewpoint, accounting for about 10% of the total vegetable production for the Lower Mainland farming area.

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Three of the larger farm units in this area are located on the south side of Marine Drive between Nelson Avenue and Royal Oak Avenue as shown on Figure 1 *attached*. The majority of these farms are designated for Market Garden use in the Big Bend Development Plan (Figure 2 *attached*) and are within the Agricultural Land Reserve (Figure 3 *attached*). They are zoned A3 Truck Gardening District which requires each lot to have an area of not less than 2 hectares (4.9419 acres).

The remaining northerly 200 feet of these properties abutting Marine Drive are designated and zoned for R2 Residential (single-family) use. The land form in this area is such that it "drops off" at Marine Drive and the R2 lands relate to the farm area to the south rather than to Marine Drive.

This department has, from time to time, received enquiries regarding the subdivision of these R2 areas into a series of single-family residential lots. It has been the position of the Subdivision Approving Officer that it would be inappropriate to subdivide these properties in this manner as the lands proposed for subdivision contain accessory farm buildings and residences for the individual farm units. If these lands were to be subdivided into a series of residential lots, the existing structures would then have to be relocated southward to the A3 lands which are under cultivation, thereby diminishing the area available for farming.

## 2.0 PROPOSED REVISIONS TO LAND USE REGULATIONS

While the foregoing measures have resulted in the preservation of the farm units abutting Marine Drive, they have caused certain problems for the operation of the individual family owned and operated farms as noted in the following sections.

### 2.1 Sun Tai Sung Farm and C.Y. Chan Farm

The situation with respect to these farms is unique. They are both situated on one 3.65 ha (9.02 acre) legal parcel under joint ownership. They have functioned, however, as two entirely separate farm units of equal size for a considerable length of time. As the minimum parcel size under the A3 regulations is 2 ha (4.9419 ac.), it has not been possible to subdivide the property.

Consequently, the owners entered into a private agreement whereby the property would be equally divided as shown on Figure 4 *attached*. This division, while not legally registered, has served to functionally divide the property. The Sun Tai Sung Farm operates on the western half and the C.Y. Chan farm operates on the eastern half of the property. Both farms have separate large market stands selling both fresh vegetables and bedding plants.

It is our understanding that, at the time the arrangement to functionally divide the property was made, it was agreed that a house was to be built on the western half of the property under the prevailing zoning. This has resulted in an inequity over time as, under the existing zoning regulations, a house cannot be built to serve the other independent farm unit.

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The simplest method of resolving this situation is to initiate a text amendment to amend the minimum parcel size from 2 ha (4.94 ac.) to 1.8 ha (4.45 ac.). If this text amendment was approved, it would then be possible for the owners to submit an application to rezone the R2 portion of the property to A3. Upon completion of the rezoning, an application to subdivide the property could be approved. A house could then be built to serve the C.Y. Chan property. The boundary of the Agricultural Land Reserve would then need to be revised to include all of both farm units. The property owners have agreed, in principle, to the foregoing.

The proposed text amendment to the minimum parcel size would only affect the subject parcel, as the only other A3 zoned parcel which is large enough to be subdivided is the Hop On Farm (5624 S.E. Marine Drive). This parcel is 12.71 acres in size and would be large enough to be subdivided under either the existing 4.94 acre or the proposed 4.45 acre minimum parcel sizes.

## 2.2 Wing Wong Farm

This 3.18 hectare (7.85 acre) parcel has been actively farmed by one family for a number of years. It contains one single family residence as well as a large market stand selling fresh vegetables and bedding plants.

It is the family's desire to build a second residence for family members. Accordingly, an application has been submitted to subdivide a lot within the R2 zoned portion of the property. As is the case with the previous farms, careful attention needs to be paid to such an application to ensure that it does not negatively impact the A3 farm area south of the residentially zoned lands.

With the foregoing in mind, it has been proposed that one single family lot be subdivided under the existing R2 zoning as shown on Figure 4. This portion of the property slopes away from Marine Drive and is not used for soil bound agriculture. In order to avoid the potential loss of the agricultural base of this property, it is proposed to rezone the remaining R2 Residential lands to A3 Truck Gardening District. It is further proposed that these lands be included in the ALR.

The property owners have endorsed this concept and have submitted a rezoning application (RZ 4/95) which will be considered by the City Council on 1995 March 20.

## 3.0 DISCUSSION

Burnaby's Official Community Plan has as one of its goals, the protection and enhancement of agricultural uses within the designated agricultural uses in the Big Bend area. It also notes that one should accept that agricultural uses can only co-exist in the long term with other land uses in a planned environment.

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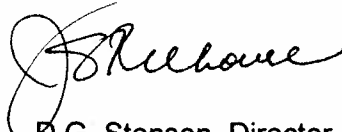
Re: Proposed Amendment to the Minimum Lot Area  
in the A3 Truck Gardening District and Inclusion of  
Lands in the Agricultural Land Reserve

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The proposals outlined herein are seen as responding to the foregoing by providing a long term resolution of the competing demands between single family and agricultural use on the south side of Marine Drive. These proposals are endorsed by the property owners as well as staff from the Provincial Agricultural Land Commission.



D.G. Stenson, Director  
PLANNING & BUILDING

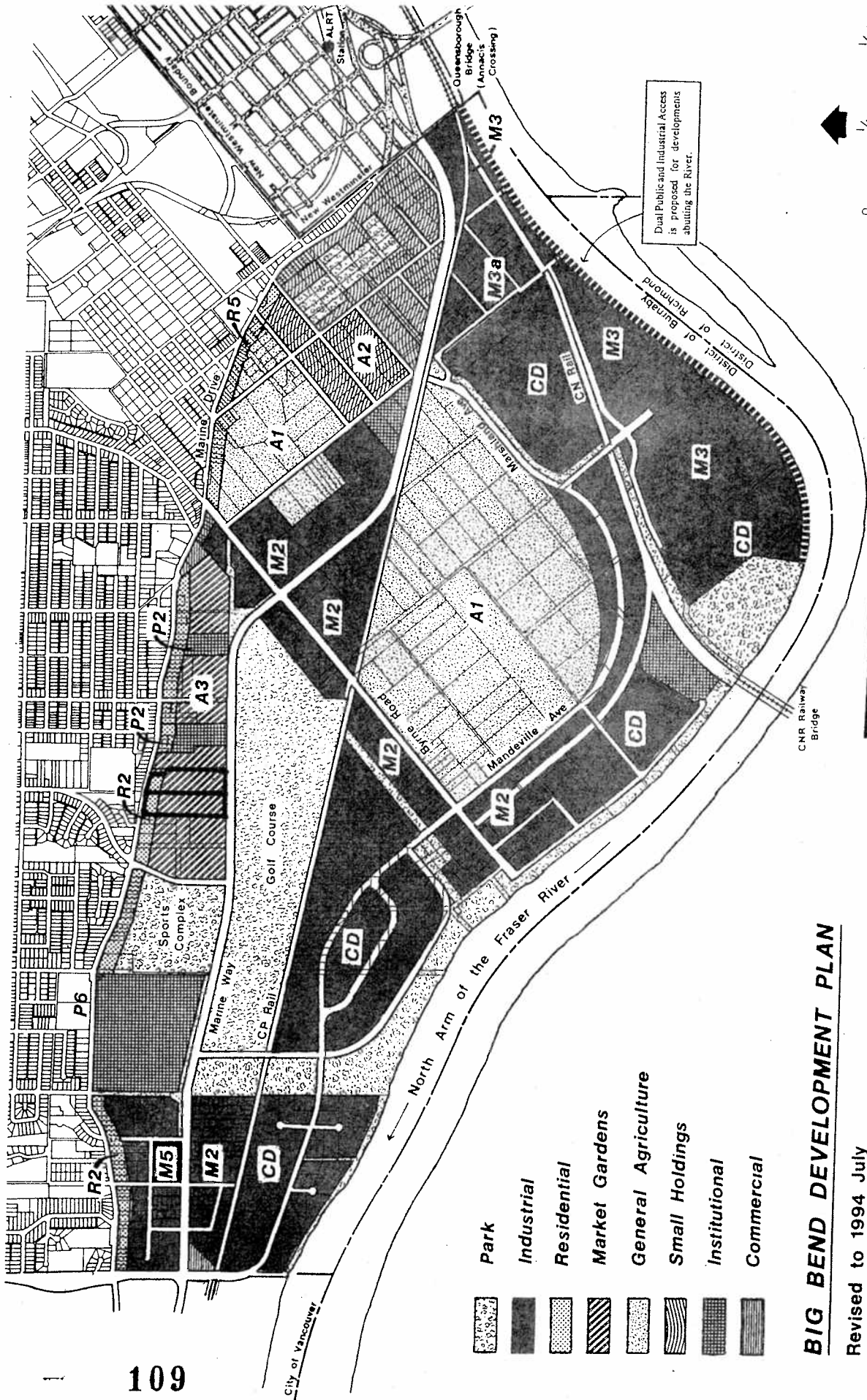


PB/jp

Attachments (4)

b(Council6):\a3amend.rpt





- Park
- Industrial
- Residential
- Market Gardens
- General Agriculture
- Small Holdings
- Institutional
- Commercial

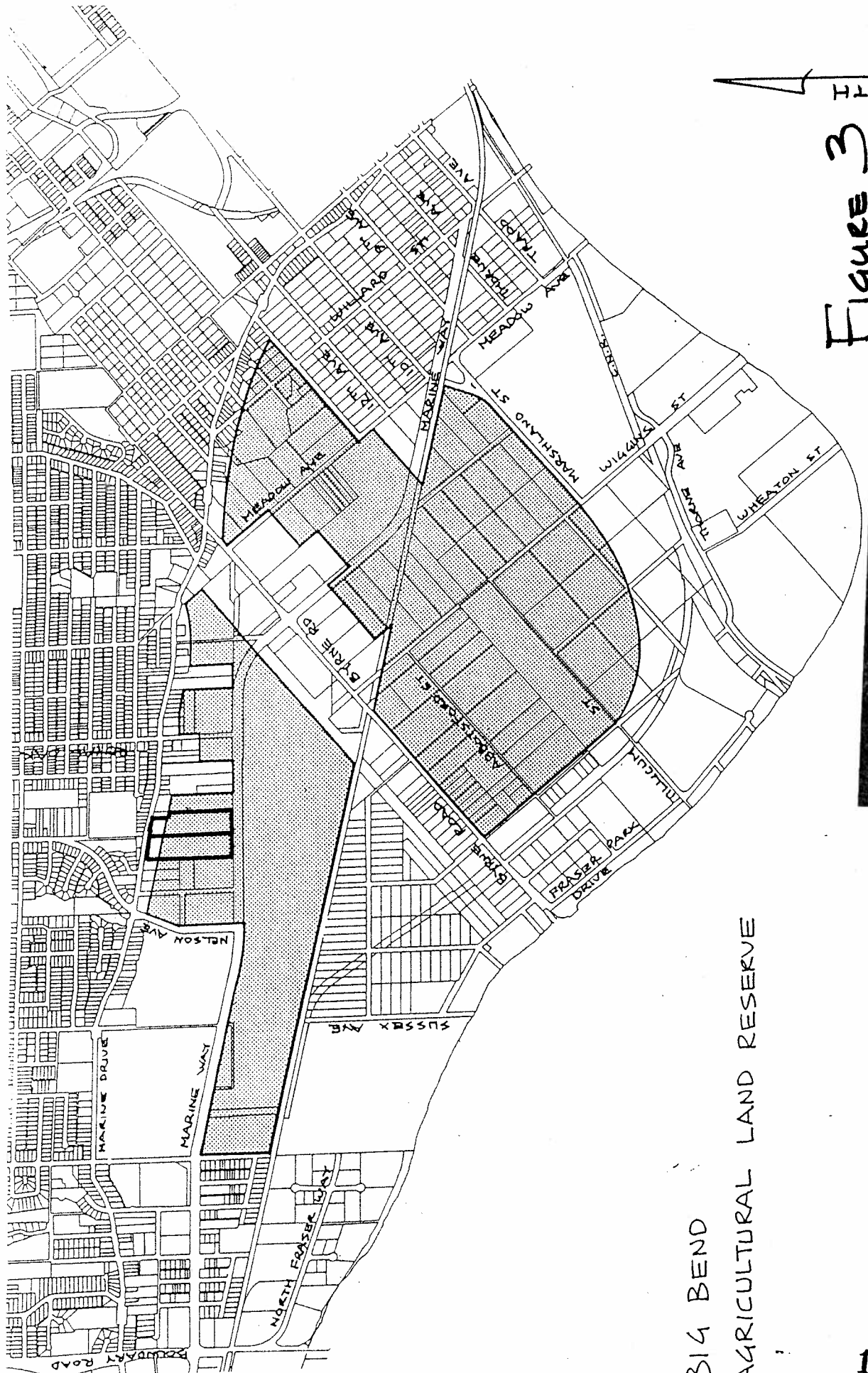
**BIG BEND DEVELOPMENT PLAN**

Revised to 1994 July

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**FIGURE 2**  
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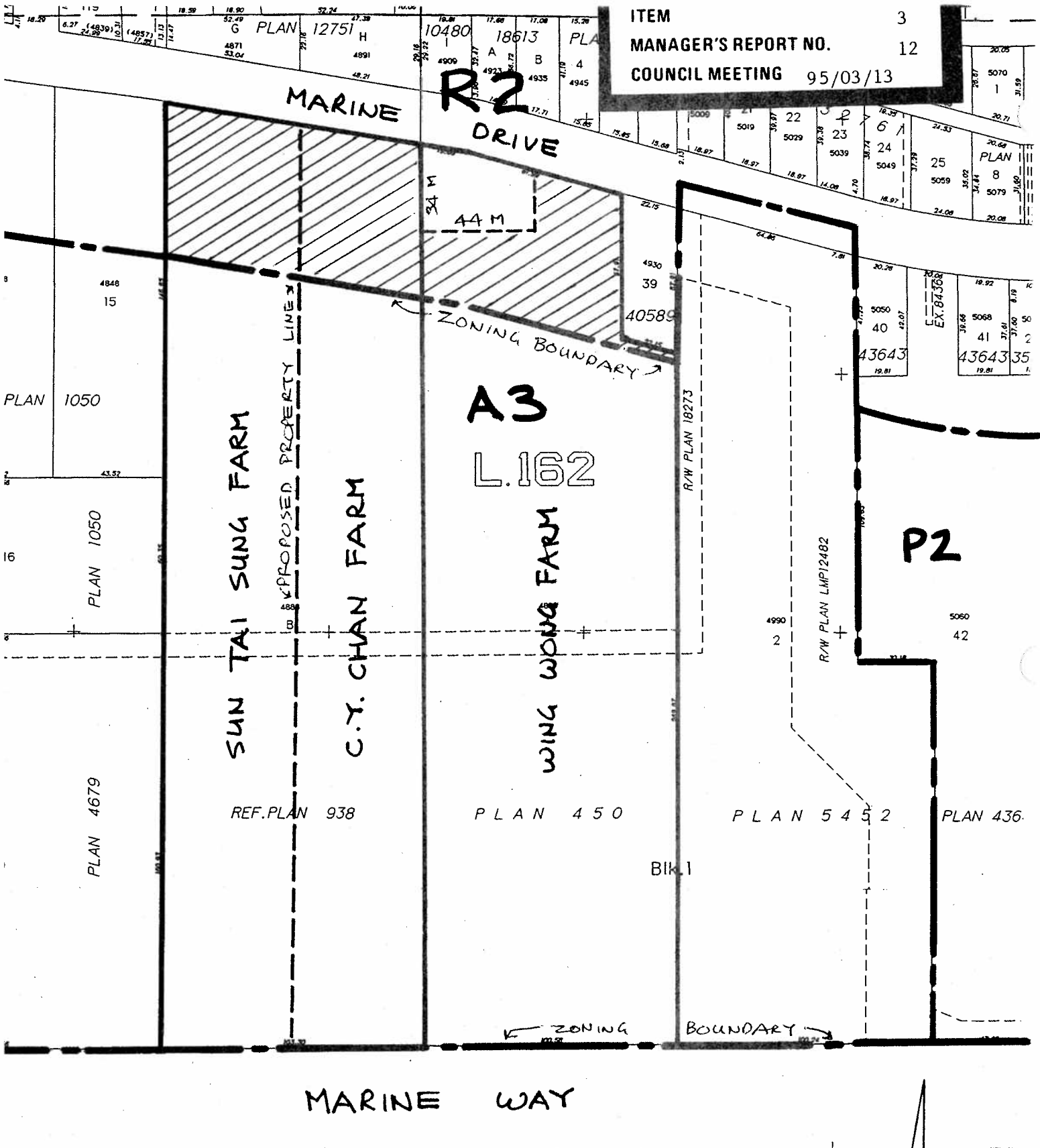


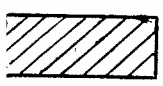
BIG BEND  
AGRICULTURAL LAND RESERVE

**Figure 3**  
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LANDS TO BE REZONED  
 FROM R2 TO A3 AND  
 INCLUDED IN AGRICULTURAL  
 LAND RESERVE

**FIGURE 4**  
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 SCALE 1:2000

NORTH