

TO: CITY MANAGER 1997 JUNE 18
FROM: DIRECTOR PLANNING AND BUILDING OUR FILE: 02.120.5
SUBJECT: BURNABY BUSINESS PARK LTD.'S
BIG BEND AREA AGRICULTURAL LANDS
PURPOSE: To provide Council with information in response to a delegation and correspondence received regarding Burnaby Business Park Ltd.'s Big Bend area agricultural lands

RECOMMENDATION:

1. **THAT** this report be received for the information of Council and that copies be forwarded to:

Mr. John Switzer
8132 Fremlin Street
Vancouver, B.C.
V6P 3W8

Mr. Jeremy McCall, Chair
Conservation Section
Vancouver Natural History Society
Box 3021,
Vancouver, B.C. V6B 3X5

Mr. Doug Porter
3782 Thurston Street
Burnaby, B.C.
V5H 1H7

Ms. Eliza Olson, President
Burns Bog Conservation Society
202 - 11961 88 Avenue
Delta, B.C. V4C 3C9

REPORT

1.0 BACKGROUND

Council, at its 1997 June 16 meeting, received a delegation from Mr. John Switzer regarding Burnaby Business Park Ltd.'s (BBP) Big Bend area agricultural lands. Correspondence has also been received from Mr. Doug Porter, Mr. Jeremy McCall of the Vancouver Natural History Society, and appearing elsewhere on this agenda is a letter from Ms. Eliza Olson of the Burns Bog Conservation Society. Essentially, these presentations take issue with the proposal to develop portions, or all of the subject lands for agricultural and other use with the perceived loss of existing area natural features.

In considering the use of the BBP lands, it is important to note that they are governed by Burnaby's Official Community Plan (OCP) and the Provincial Agricultural Land Reserve (ALR). A goal of the OCP with respect to land use allocation is to ensure that the City is provided with a balanced diversity of land uses within a framework that meets its present and future needs. Its primary agricultural goal is to protect and enhance agricultural uses within the designated agricultural areas in the Big Bend area. The OCP provides for the continued preservation of lands within the ALR for agricultural and other permitted uses and accepts the premise that agricultural uses can only co-exist in the long term in a planned environment.

The overriding authority with respect to the subject lands lies with the fact that they are within the ALR and are governed by the Agricultural Land Commission Act. This Act states that "*it is the object of the Commission to:*

- (a) *preserve agricultural land;*
- (b) *encourage the establishment and maintenance of farms, and the use of land in an agricultural land reserve compatible with agricultural purposes;*
- (c) *assist municipalities and regional districts in the preparation of land reserve plans required under this and; and*
- (d) *encourage municipalities, regional districts, first nations and ministers, ministries and agents of the governments of British Columbia and Canada to support and accommodate farm use of agricultural land in their bylaws, plans and policies."*

It is within the foregoing context that staff has advanced the BBP land use proposals resulting in Council's previous endorsement of the Land Use Concept Plan and implementation proposals.

2.0 EXISTING SITUATION

The following is provided in response to the presentations received by Council.

2.1 Removal of 52 Acres from ALR

Of the lands proposed for exclusion, approximately 44 acres are proposed for comprehensive industrial use with the balance designated for park/buffer use. It must be recognized that this is one component of a land use concept which has evolved from a constructive, cooperative process involving BBP, City

and ALC staff. Moreover, of this area, 21 acres is debilitated and 7 acres has configuration constraints for agriculture. The fact that over 30 existing small, separate parcels and road allowances will be consolidated into two large parcels also results in a net gain to agriculture of approximately 15 acres, reducing the net area lost to agriculture to only approximately 9 acres.

2.2 Establishment of Cranberry Farms Rather Than Small Vegetable Farms

Initially, there were two crop use scenarios recommended for the subject lands. A first scenario suggested a combination of vegetables/blueberries on 58 acres and cranberries on 116 acres with a second scenario suggesting a 174 acre vegetable/blueberry combination. It was noted, however, that actual use would depend on specific commodity markets, management expertise and public interest.

Council will recall that BBP's consultant G.G. Runka Land Sense Ltd. advertised the availability of the subject lands for agricultural use in 11 publications. Individual mailouts summarizing the lease opportunity and the advertisement were also sent to all of the current Big Bend area farmers. Information packages were provided on request and questions regarding the project and the property responded to. Follow up contacts were made, resulting in interested agricultural land users submitting proposals for technical review. Subsequently, a number of proponents considered to have high technical and management ability were interviewed. Farmer interest was predominantly for cranberry use, some combined with blueberries and some interest in smaller areas for organic and conventional vegetable production.

In actuality, the only serious proposal for organic vegetable farming was received from Mr. Switzer and it involved a three acre leasehold.

While staff would support the use of the lands for vegetable or other farm use, the dominant agricultural use interest focuses on cranberry use predicated on the land being sold to well established members of the Lower Mainland farming community for a legitimate and beneficial berry farming operation.

2.3 Preservation of Peat Bog

The submissions to Council range from preserving all of the BBP lands to exchanging the City lands designated for preservation as Bog (swamp) Forest for an equivalent area of bog on the west side of the BBP lands adjacent to Byrne Road.

In this regard it should be noted that all of the BBP lands are in an altered state. Prior to their assembly in the late 1960's they were used for cranberry production and peat mining. The swamp forest on the other hand, appears to be a remnant of a larger mixed coniferous forest and has not been subjected to any major disturbances since 1938. Peat mining appears to have begun sometime between 1939 and 1946 in the open bog southwest of the forest.

2.3.1 Land Exchange Option

Staff does not support this concept of exchanging the City's swamp forest lands with BBP lands adjacent Byrne Road as proposed. The swamp forest is unique and merits preservation for its natural values as evidenced by the vegetation and habitat assessment study undertaken by Strix Environmental Consulting which suggests it has potential regional significance. Raptor habitat will be protected and similar forest areas including Sitka Spruce and Shore Pine are uncommon or absent in the Big Bend area and will be retained. Furthermore, additional BBP lands have been designated for preservation adjacent to the forest and provision has been made to connect it to the habitat restoration area which includes open bog area. The lands adjacent to Byrne Road do not have the same qualities.

Of the total consolidated lands under review, some 47 acres or 17% is to be in the public domain (environmentally significant areas to be protected).

2.3.2 Preservation of Entire Area

As noted previously, the subject lands are intended to fulfill part of the City's and the Provincial Agricultural Land Commission's mandates with respect to meeting their agricultural goals. Notwithstanding this situation, the City does have a park and open space network which comprises approximately 23.5% of its land base. In addition to these major initiatives, the City has recently pursued the acquisition and enhancement of a further 40 acre parcel in the Big Bend area to augment the Fraser River Foreshore Park system.

Staff does not, therefore, support the concept of retaining all of the BBP lands as peat bog as proposed, as to do so would contradict the stated objective of promoting the agricultural use of these highly suitable lands.

2.4 Dedication of Agricultural Lands by Referendum and Covenant Registration

The question has been raised as to why does BBP not agree to protection of agricultural land by referendum. While BBP does not agree, it should be remembered, however, when staff initially reported to Council on the goals and objectives for the BBP land use review in September of 1996, as the point of departure it was noted that the situation regarding previous proposals for non-agricultural use of these lands had dramatically changed from that which had prevailed in the past. This resulted in dialogue being pursued with BBP in conjunction with ALC staff. A number of objectives were established at that time including guiding principles for the land use review.

It remains staff's opinion that the resultant land use concept, together with the previously identified implementation measures meets the objectives and principles established by Agricultural Land Commission and the City Council for the land use review and will result in overall net benefits to agriculture in Burnaby's Big Bend area. The fact that the lands are governed by local zoning, the Official Community Plan and the Agricultural Land Commission Act is considered to be sufficient.

The question of a 25 year covenant was initially raised when BBP was proposing to maintain ownership of the lands and lease them for agricultural use. Notwithstanding the fact they are now proposed to be sold to legitimate farming interests, Council has still recommended to the ALC that a covenant be registered against the consolidated farm lots stipulating that they be used for agricultural purposes for a minimum 25 year period. This matter rests with the Commission.

3.0 SUMMARY POSITION

The preparation and advancement of the Land Use Concept Plan for the Burnaby Business Park lands has not been entered into lightly or without serious discussion and review by the property owners, the City and the Provincial Agricultural Land Commission.

A report was first submitted to Council in September of 1996. Goals and objectives were established and endorsed for the land use review together with guiding principles in order to be in a position to pursue meaningful dialogue. Reports were prepared addressing the capability and suitability of the land for agriculture. Questions regarding agricultural development infrastructure, enquiries raised by Council and the Commission and other matters were included in a further November 1996 report to Council.

Environmental considerations have played a major role in shaping the final land use concept including a detailed vegetation and habitat assessment of the swamp forest and adjacent BBP lands. The revised land use concept provides for an expanded, linked sequence of habitat and open space areas.

Finally, on 1997 June 02 Council received a report providing additional information at which time a motion was adopted authorizing Burnaby Business Park Ltd.'s Agricultural Land Reserve Exclusion application to proceed to the Provincial Agricultural Land Commission for its consideration.



D.G. Stenson, Director
PLANNING AND BUILDING

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cc: City Solicitor
Director Engineering
Director Recreation & Cultural Services