

TO: CITY MANAGER 1997 SEPTEMBER 04

FROM: DIRECTOR PLANNING AND BUILDING OUR FILE: 02.120.5

SUBJECT: **OVERVIEW OF LAND USE PROPOSALS FOR BURNABY BUSINESS PARK LTD'S AGRICULTURAL LAND RESERVE AREA LANDS**

PURPOSE: To provide Council with a summary outline of the status of Burnaby Business Park Ltd.'s ALR land use proposals.

RECOMMENDATION:

1. **THAT** this report be received for the information of Council.

REPORT

Over the last year Council has received several staff reports, items of correspondence and delegations regarding Burnaby Business Park Ltd.'s (BBP) Agricultural Land Reserve (ALR) lands. In order to put these matters into perspective, the following overview of the actions taken to date and their potential consequence is provided as follows:

- ▶ BBP owns 34 separate, legal lots comprising some 222 acres all or part of which are in the ALR (Figure 1 *attached*). These lands, the majority of which were previously used for agriculture, were assembled in 1970 for industrial use and have remained vacant and unproductive since then.
- ▶ Despite the fact that they are zoned for agricultural use and in the ALR, they have continued to be the subject of numerous proposals over the years for non-agricultural use (race track, golf course, residential and industrial).
- ▶ The situation changed significantly in 1996 when BBP advised Council and the Provincial Agricultural Land Commission (ALC) that they wanted to set the past aside and commence a new dialogue that recognizes a few simple facts: the lands are in ALR, have productive agricultural potential and if any lands were to come out of the ALR, the ALC and the City would need to see that the primary goals of the preservation of agricultural lands and the establishment of farms, are met.
- ▶ BBP also advised that it wanted to explore an option which would provide for a portion of the less productive lands to be removed from the ALR and developed for industrial use.

- ▶ In June of 1996 the ALC discussed the BBP proposal to develop a land use plan with a view towards identifying areas of medium to high agricultural capability and suitability, and those areas which may be unsuitable for agriculture. The Commission endorsed certain principles for the proposed review and authorized further discussions between the ALC, BBP and the City to work towards a plan for the area that will meet the objectives of all three parties.
- ▶ BBP engaged G.G. Runka Land Sense Ltd. (Land Sense Ltd.) to prepare an agricultural development concept plan. Phase 1 involved the preparation and submission of a report entitled "Land Capability and Suitability for Agriculture". Phase 2 resulted in the submission of a further report entitled "Agricultural Development Plan". A summary of these reports was provided to Council together with a staff report (1996 September 04, Manager's Report No. 23). The information provided to Council included matters regarding: climate; soil and water resources; environmental considerations; existing and proposed adjacent uses; existing City and Provincial zoning and regulations, community plan designations and associated land use policy; land capability and crop suitability for agriculture.
- ▶ Based on this information Council endorsed a Land Use Concept Plan which provided for the agricultural development of 174 acres. Two crops use scenarios were recommended: the first suggested a combination of vegetables/blueberries on 58 acres and cranberries on 116 acres; the second suggested a 174 acre vegetable/blueberry combination. It was noted that actual use would depend on specific commodity markets, management expertise and public interest. The Plan recognized that improvements are required to the agricultural infrastructure (drainage, irrigation, etc.) in order for agricultural production to begin. It also designated land for habitat restoration, park/buffer and comprehensive industrial use.
- ▶ The ALC considered this proposal again on 1996 September 06 at which time it reviewed the history of the area including parcel sizes and layout, agricultural suitability and capability of the land and related land use factors. The benefits to agriculture to be gained through endorsement and implementation of the proposed plan were discussed and the ALC concluded that it meets the objectives of the Commission and establishes overall net benefits for agriculture in this region.
- ▶ The City owns lands adjacent to the BBP properties which are proposed to be retained as a bog forest preservation area. As part of its review of these lands, the City engaged Strix Environmental Consulting to assess vegetation and wildlife habitat within this area in order to provide recommendations regarding a boundary between the forest and proposed agricultural, industrial and open space developments. As a result of this work, significant additions were made to the area to be retained as bog (swamp) forest, both within the BBP and adjacent lands. City lands are also designated for community based allotment gardens.

- ▶ In May of 1997 Land Sense Ltd. submitted a supplementary Agricultural Development Concept Plan report which responded to issues and concerns raised by the City and the ALC resulting from their review of the initial 1996 plan. The results of this document were included in a staff report (1997 June 02, Manager's Report No. 16). This report also addressed other planning issues which had arisen, points made by the farming community and professionals associated with the project. The amended plan (Figure 2 *attached*), in summary, now provides for the following:
 - the agricultural use focus is intended to be for cranberry production with future options at the discretion of the owner for vegetable and/or blueberry use;
 - negotiations are currently underway to sell to a local farming family who will hold the property in two consolidated parcels totalling some 174 acres;
 - land development for cranberry production is proposed to take place in three phases and would include land clearing, dyking, drainage, cultivation, irrigation system installation and planting;
 - provision is made to address further environmental considerations by providing land for a hawk nesting buffer, bog forest protection area and for a connection through to the habitat restoration area wetland.
- ▶ On June 02, 1997 Council authorized BBP's ALR exclusion application to proceed to the ALC for its consideration together with a recommendation that the lots be consolidated into two farm units and that a Covenant be registered against their titles stipulating that they be used for agricultural purposes for a minimum 25 year period.
- ▶ Considerable discussion has ensued over the fact that BBP's application provides for the removal of 52 acres from the ALR. In this regard, it must be recognized that, of these lands, approximately 21 acres has had a historical deposition of wood waste and other off-site materials as noted on Figure 3 *attached*. On lands otherwise capable of agricultural use, configuration constraints associated with waste disposal and the location of a major drainage ditch cover approximately 7 acres. The remaining 24 acres is suitable for agricultural use.

In its consideration of this proposal the ALC requested that a calculation be made of the land lost to road rights-of-way and potential building sites (at 0.25 acres per site) under the existing lot configuration compared to that in the proposed concept plan.

BBP has calculated the approximate areas as follows:

a) existing rights-of-way	16 acres
potential building sites (32 x 0.25)	<u>8 acres</u>
	24 acres
b) proposed rights-of-way	7 acres
potential building sites (8 x 0.25)	<u>2 acres</u>
	9 acres

The gain to agriculture is, therefore, approximately 15 acres which further reduces the total area lost to agriculture from 24 acres to approximately 9 acres.

It must also be recognized that significant areas are being given over for public uses (habitat preservation and enhancement 17 acres, walkway/buffer areas 16 acres).

- ▶ Staff has received copies of letters of decision to BBP dated 1997 June 27 and August 28 advising that the ALC, acting under Section 12(2) of the Agricultural Land Commission Act, by Resolution #492/97, has approved the exclusion application subject to certain conditions. The Commission, acting under section 44(b) & (c) of B.C. Regulation 313/78, by Resolution #493/97, has also allowed BBP's application to use an area approximately 8.4 acres as a municipal parkway/buffer and approximately 17.3 acres for a habitat restoration area. Again, certain conditions must be satisfied in this regard.

Council should be advised that the Commission will not require the registration of a Restrictive Covenant against the title of the two large agricultural properties stipulating that these lots be used for agricultural purposes for a minimum 25 year period. It is the Commission's opinion that such a charge would only lead to false expectations concerning the removal of this land from the ALR upon the expiration of the 25 year period.

As noted at the beginning of this report, Council has received several items of correspondence and delegations regarding the subject lands. Some have taken issue with the proposal to develop portions, or all of the lands for agricultural and other use with the perceived loss of existing area natural features. Representations have also been made opposing the anticipated rezoning of the 52 acre exclusion area to a CD Comprehensive District for industrial use.

In considering these presentations it is staff's opinion that they need to continue to be considered within the perspective of the process which was initiated in June of 1996 and summarized herein. Prior to BBP's initiative, the lands remained vacant and unproductive for some 27 years and have continually been the subject of non-agricultural development proposals.

CONCLUSION

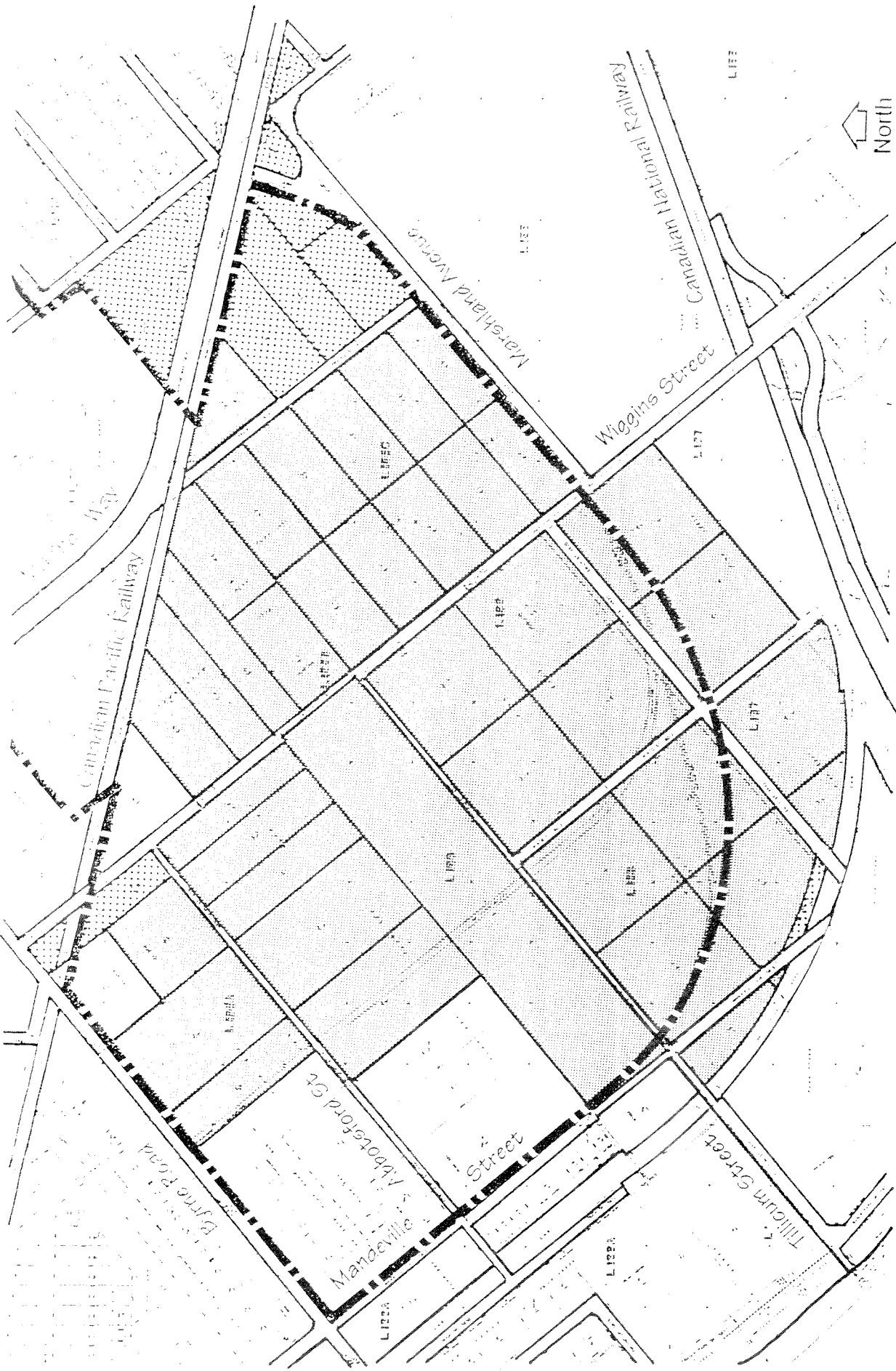
The preparation, advancement and endorsement of the Land Use Concept Plan for the BBP lands has not been undertaken lightly or without serious discussion and review by all involved. Not only does it provide for 174 acres to be brought into agricultural production, thereby effectively doubling the amount of land currently in agricultural use in the ALR in Burnaby's Big Bend area, it provides for a linked sequence of habitat and open space areas totalling some 33 acres. Of the 52 acres conditionally approved for exclusion, approximately 8 acres it proposed to be utilized for park/buffer area and 44 acres is given over to comprehensive industrial use. Due to factors noted herein, the effective net area lost to agriculture is effectively only approximately 9 acres. Moreover, this proposal will result in the transfer of ownership of the farmlands from an international development company to well established members of the Lower Mainland farming community.



D.G. Stenson, Director
PLANNING AND BUILDING

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Attachments (3)



Existing Ownership & Property Configuration

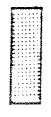


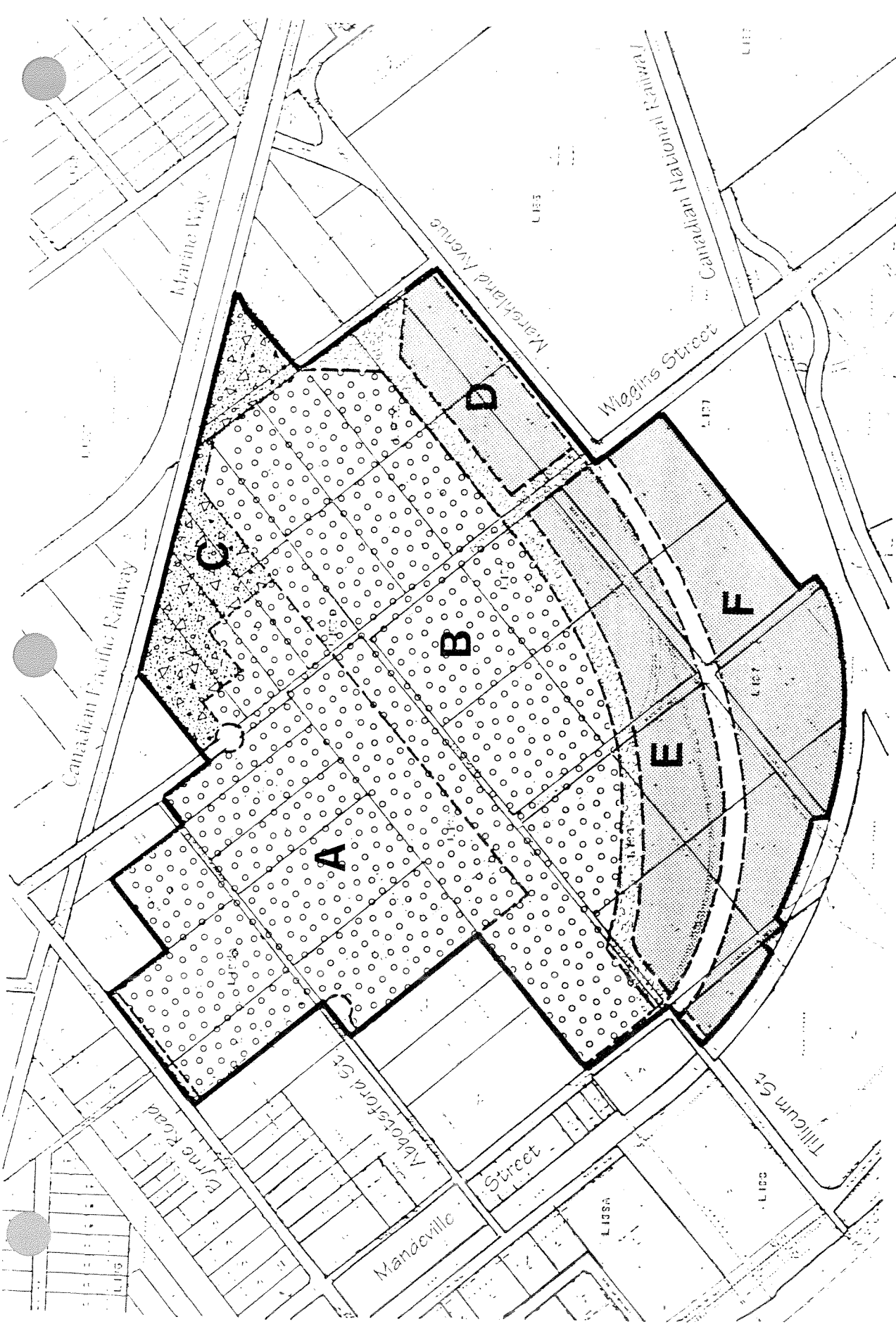
-  Burnaby Business Park
-  City
-  Agricultural Land Reserve

Figure 1





1997 Revised Land Use Concept Plan, Burnaby Business Park Lands




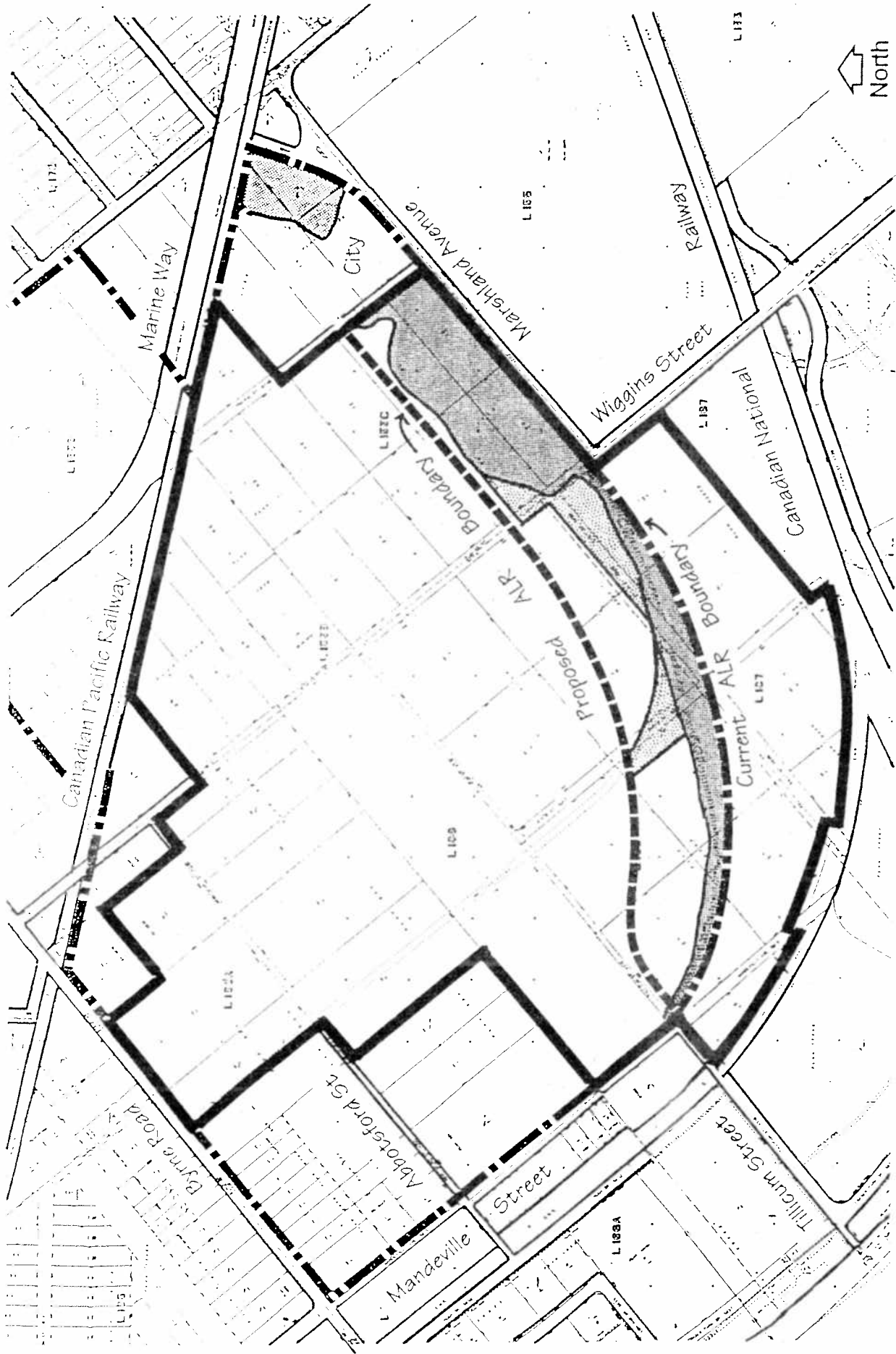
-  Boundary of Burnaby Business Park Lands
-  Consolidated Lot Boundaries
-  Dedicated Park / Buffer
- A & B** - Cranberry Farms
- C** - Habitat Restoration, Bog Forest Buffer & Access Corridor
- D - F** - Comprehensive Industrial



Figure 2



Proposed Agricultural Land Reserve Exclusion






-  Boundary of Burnaby Business Park Lands
-  Current ALR Boundary
-  Proposed ALR Boundary
-  Areas Unsuitable Due to Configuration
-  Areas Unsuitable for Agricultural Use Due to Land Modification (Landfill Deposits, Modification)

Figure 3