

**TO:** CITY MANAGER

2002 May 21

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** 3885 & 3897 PENDER STREET  
HEIGHTS COMMUNITY GARDEN  
HASTINGS STREET AREA PLAN

**PURPOSE:** To request Council's authority to grant a revised licence agreement for the continued use of City owned property as the Heights Community Garden.

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**RECOMMENDATION:**

1. **THAT** Council authorize staff to enter into a licence agreement with the Heights Garden Society for the continued use of the City-owned property at 3885 and 3897 Pender Street as a community garden.
2. **THAT** a copy of this report be sent to the Heights Garden Society c/o Gilmore Community School, 50 Gilmore Avenue, Burnaby, B.C., V5C 4P5 and the Heights Neighbourhood Association c/o Gilmore Community School, 50 Gilmore Avenue, Burnaby, B.C., V5C 4P5.

**REPORT**

The subject properties (see *attached* map) are City-owned and are situated within the Hastings Street Area Plan. The properties were rezoned to Comprehensive Development CD (based on P3 - Park and Public Use District guidelines) and designated as a temporary Community Garden in 1996. The City does own the majority of lots on the remainder of the block (see *attached* map), but, as was the case in 1996, the ability to pursue the redevelopment of these sites is hampered by the pattern of private ownership on the block. Under the Hastings Street Area Plan, the north side of the 3800 block of Pender Street is designated for eventual consolidation into three sites to be redeveloped as 3½ storey townhousing under RM7 - Hastings Village Multiple Family Residential guidelines. Assembly of the site which includes the community garden is hampered by an existing small three storey apartment building immediately west of the garden which is expected to take some time for the development community to acquire.

Since its inception in 1996, the Heights Community Garden has been a positive addition to the local community. The garden has been well-utilized by Burnaby citizens, with a majority of the 43 plots being used by people living in the Heights. The Heights Community Garden provides those who live in apartments and townhouses the opportunity to grow some of their own food and flowers while interacting with others in their community. The annual membership fee for the Heights Community Garden is \$30, with a special rate for seniors and disadvantaged members of \$15. As well, maintenance of the community garden has been kept to a high standard by the members allowing it to act as a greenspace feature for the area.

In 1996 a licence agreement for operation of the community garden was entered into between the City and the Heights Neighbourhood Association. A decision was made in 2001 by the Neighbourhood Association to pass their responsibility for the community garden's administration on to a non-profit society formed by garden members. As a result, a new non-profit society called the "Heights Garden Society" was created in 2001 with the intention of taking over administration duties of the community garden. Staff have no objection to this proposed administrative change.

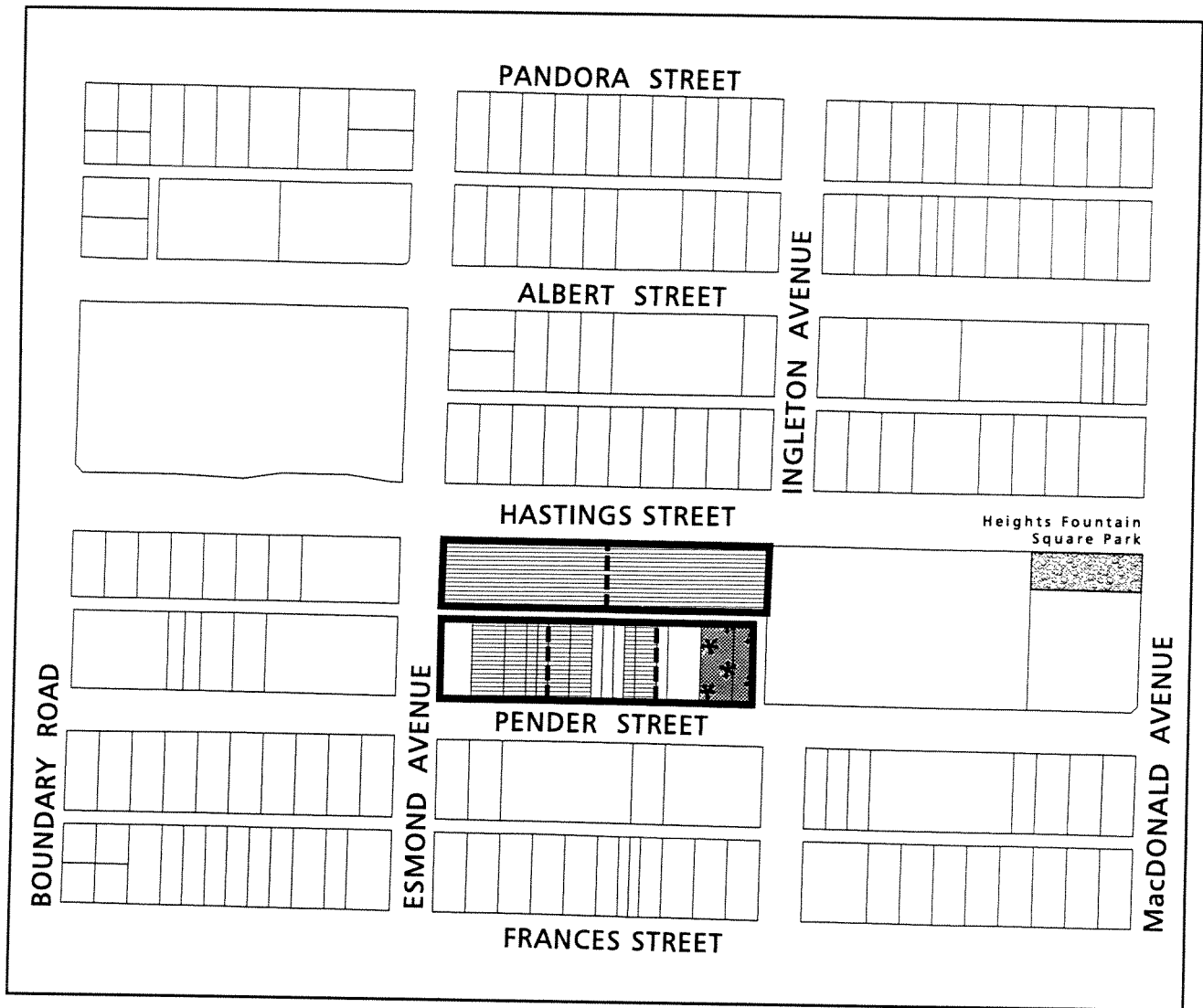
Council authorization is requested for staff to prepare and enter into a licence agreement for use of the subject properties by the Heights Garden Society as a community garden at no cost. The licence agreement will have the same conditions as the previous one related to requirements for a high standard of maintenance and upkeep, insurance and payments for use of municipal water. Previously, the term of the lease was for one year with an option for renewal every six months after the initial year term. It is proposed that the initial term of the licence agreement be three (3) years, with an option to cancel the agreement at any time with six (6) months notice after the first year, and the option for renewal every six months after the initial three years. The members of the Heights Garden Society have been informed that use of this City-owned property remains a temporary arrangement. Removal of the community garden, with appropriate notice, would occur at the time that redevelopment, with the inclusion of the property as part of a development site, is pursued.






J.S. Belhouse  
Director Planning and Building

PSF:gk  
Attach

cc: City Solicitor  
City Clerk  
Director Parks, Recreation and Cultural Services



### Heights Community Garden

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Heights Community Garden  
3885-3897 Pender Street
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Urban Renewal Site
- 
Other City-owned property



