



REPORT

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Meeting Date: November 16, 2021
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TO: Vancouver City Council

FROM: General Manager Engineering in conjunction with General Manager, Real Estate and Facilities Management

SUBJECT: Renewal of Lease and Licence Arrangements for City-Owned Properties at 215 West 1st Avenue and 2150 Maple Street

RECOMMENDATION

- A. THAT Council authorize the Director of Real Estate Services to negotiate and execute a new licence agreement with THE VILLAGE ON FALSE CREEK COMMUNITY GARDENS SOCIETY ("Village Society"), for an approximate 440 square meter portion of City-owned property located at 215 West 1st Avenue, legally described as PID 026-979-772 Lot 327 False Creek Plan BCP28525 (the "False Creek Site", Appendix A), for ongoing use as a community garden subject to the terms and conditions outlined in this report, including:
- A term of 5 years commencing January 1, 2022, with option to extend for an additional 5 years;
 - A nominal rent of \$10.00 for the term; and
 - Subject to an early termination provision in favour of the City upon 90 days notice.

All terms and conditions to be to the satisfaction of the General Manager of Engineering, the General Manager of Real Estate and Facilities Management, and the Director of Legal Services;

As the rent under this licence will be below the applicable market rate, Recommendation A constitutes a grant valued at approximately \$37,600 per annum, or \$188,000 for the 5-year term of the licence.

- B. THAT Council authorize the Director of Real Estate Services to negotiate and execute a new lease agreement with CITY FARMER SOCIETY (“City Farmer”), for an approximate 1,728 square meter portion of City-owned property located at 2150 Maple St., legally described as PID’s 015-195-872, 015-195-881, 015-195-899, 015-197-751, 015-197-760 and 015-197-778; Lots 15, 16, 17, 18, 19, and 20, except the Vancouver and Lulu Island Railway Right of Way as Shown on Miscellaneous Plan 218, Block 266 District Lot 526 Plan 590 Land District 36 (the “Maple Street Site”, Appendix B) for ongoing use as an urban agriculture and compost demonstration centre, subject to the terms and conditions outlined in this report including:
- A term of 5 years commencing January 1, 2022, with option to renew for an additional 3 years;
 - A nominal rent of \$10.00 for the term; and
 - Subject to an early termination provision in favour of the City upon 6 months’ notice.

All terms and conditions to be to the satisfaction of the General Manager of Engineering, the General Manager of Real Estate and Facilities Management, and the Director of Legal Services;

As the rent under this lease will be below the applicable market rate, Recommendation B constitutes a grant valued at approximately \$95,000/year or \$475,000 for the 5-year term of the lease.

- C. THAT no legal rights or obligation is created unless and until all legal documentation has been executed and delivered by the respective parties.

Council approval is required to authorize both the licence agreement and the lease because grant recommendations, as contained in A and B, require at least 2/3 affirmative votes of all Council members under Section 206 (1) of the *Vancouver Charter*.

REPORT SUMMARY

The licence and lease recommended in this report present an opportunity to retain two secured urban agriculture spaces in our current inventory: 1) the False Creek Site licenced to the Village Society which is a community garden (see map, Appendix A), and the Maple Street Site leased to City Farmer (see map, Appendix B) which is an urban agriculture and compost demonstration centre. The current licence agreement for the Village Society expires on December 31, 2021 and for City Farmer the existing lease is expired and has been in overholding since 2019.

Retaining these sites as urban agriculture spaces helps advance Council objectives around food-friendly neighbourhoods and urban agriculture as part of complete and resilient communities, and supports waste diversion. In addition,

- Both organizations have demonstrated an ability to responsibly manage their sites;
- Neither organization could continue operating if market rental rates were charged;
- No additional City funds will be required to support either initiative;
- There are no plans for other uses at either site in the next 5 to 10 years; and
- The removal of existing site elements could result in a cost the City.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- **Vancouver Food Strategy** – In 2013, Council adopted the Vancouver Food Strategy including goals and actions to support urban agriculture and neighbourhood composting.
- **Zero Waste 2040** – In 2018, Council adopted the Zero Waste 2040 plan as a strategic policy framework to guide future decisions regarding the management of solid waste from Vancouver.
- **City Farmer Society Lease Agreements** – In 2012, Council approved infrastructure improvements to city-owned property at 2150 Maple Streets and for the City to enter into a lease agreement with City Farmer, at nominal rate, for use as an urban agriculture and compost demonstration centre.
- **Southeast False Creek Official Development Plan** – In 2005, Council adopted the Southeast False Creek Official Development Plan that includes goals to encourage a complete community with demonstrated sustainability strategies including urban agriculture, and policy to allow for interim uses that do not require permanent structures.
- **Food-Friendly Neighbourhoods Motion** – In June 2020, Council passed a motion signaling the City's commitment to achieving food-friendly neighbourhoods and building and maintaining strong food systems across the city.
- **Council COVID Recovery Committee Final Report** – In July 2020, Council produced a report of recommended actions for COVID recovery, including action #5 to enable increased local food production.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The City Manager recommends approval of the foregoing.

REPORT

Background/Context

For several decades the City of Vancouver has supported urban agriculture initiatives including community gardens, urban farming, a compost demonstration centre, and Indigenous food and medicine gardens. This support has been formalized through the Vancouver Food Strategy and Zero Waste 2040, and more recently reconfirmed through allocation of capital funding and granting of nominal leases, adoption of urban farming bylaws, tracking of community garden plot creation, and passing of motions related to Food Friendly Neighbourhoods, Circular Economy, and COVID recovery. The proposed renewed licence and lease for urban agriculture projects are important opportunities to achieve food system and zero waste goals and provide continuity to community initiatives.

False Creek Site – Village Society Community Garden

The False Creek Site (see map, Appendix A) is an approximately 440 square metre portion of an M-2 zoned, City property located within the Southeast False Creek Official Development Plan (SEFC-ODP) area.

Since 2011, The False Creek Site has been managed by the Village Society for community gardening use in alignment with SEFC-ODP policy to allow for interim uses that do not require permanent structures. This site currently includes 46 plots used by approximately 46 garden members and is open to the public for passive recreation.

The existing licence expires on December 31, 2021. Redevelopment of the site under the SEFC-ODP is not expected within the recommended new license term.

Maple Street Site – City Farmer Urban agriculture and Compost demonstration centre

The Maple Street Site (see map, Appendix B) is an approximately 1,728 square metre area comprised of six, RM-4 zoned City owned properties (Lots 15, 16, 17, 18, 19, and 20) much of which has been in use by City Farmer since approximately 1987 as an urban agriculture and compost demonstration centre.

Since 1978, City Farmer has been providing education and engagement about urban agriculture, backyard composting, and related sustainability topics such as water conservation. Adjacent to the Arbutus Greenway, the demonstration garden started in 1981 and attracts thousands of visitors annually from within the City, Metro Vancouver, and around the world. City Farmer staff and volunteers provide on-site tours and educational programming to promote and encourage urban agriculture and backyard composting, host composting workshops, manage a Regional Compost Hotline, and facilitate the sale of backyard and worm composters on behalf of the City and Metro Vancouver.

The current lease to City Farmer covers Lots 18, 19, and 20 and has been in overholding since 2019. In recent years, City Farmer has also informally expanded their activities to encompass Lots 15, 16, and 17 which are immediately adjacent to the leased lots and were previously unused and overgrown. Real Estate has confirmed that the site in its entirety is not needed for other uses for at least the next 5-10 years.

Strategic Analysis

Vancouver is home to numerous urban agriculture initiatives including community gardens, urban farms, urban orchards, and Indigenous food and medicine spaces operating under a range of tenure arrangements. Many are located on City or Park land, but over half are on private property. While the total number of community garden plots has increased since the City began tracking them in 2010, growth has slowed in more recent years and urban agriculture sites on private property have proven to be less secure as they are subject to removal for development. Meanwhile, community demand for urban agriculture space remains at an all-time high. All community gardens report maintaining long waitlists for access to limited plots, including the Village on False Creek Community Garden, and City food policy staff are unable to support the high number of enquiries from not for profit organizations and community groups seeking land for urban agriculture initiatives. A decision to not renew a community garden licence for the False Creek Site would result in a loss of this garden currently providing 46 plots and ongoing opportunities for individuals and families to participate in urban agriculture.

Through the programs City Farmer provides at the Maple Street Site, residents and visitors are able to learn about urban agriculture and ways to reduce their waste footprint by composting at home. Backyard composters and worm composters are sold at the Maple Street Site and residents are able to turn their food scraps into nutrient rich soil amendment which can then be used to grow food in their own garden. The site may also present a future opportunity to incorporate some form of demonstration hub for zero waste, in alignment with various City strategic goals and plans.

In this context, the two sites recommended in this report present strategic opportunities to retain the inventory of City-secured urban agriculture spaces, promote waste reduction, as well as act on recent food friendly neighbourhoods and COVID recovery Council motions.

Financial

The recommendations contained in this report do not entail any new financial impacts.

Should Council approve recommendations A and B, staff will make arrangements for nominal rate licence and lease agreements with Village Society and City Farmer respectively. Together these arrangements will represent an estimated annual rent subsidy totalling \$663,000 for the five year term. The activities undertaken by the organizations at these sites could not be sustained if market rental rates were charged.

Operating costs and funding sources vary for each site:

- False Creek Site: operating costs for the Village Society are covered by the operator through member fees and fundraising.
- Maple Street Site: operating costs for City Farmer are supported by donations and approximately \$130,000 in annual City funding from the existing Solid Waste Utility Budget with approximately 20% of that covered by Metro Vancouver.

The urban agriculture uses on the False Creek and Maple Street sites have no new property tax implications because the properties are City owned and uses have been ongoing since 2011 and 1987 respectively.

Environmental

There are no known environmental risks or concerns at the Maple Street site.

At the False Creek Site, the Village Society will continue growing in raised garden boxes in order to avoid any contamination concerns that could arise by disturbing the ground cover.

No negative impacts are anticipated to arise to any of the properties under recommendation in this report.

CONCLUSION

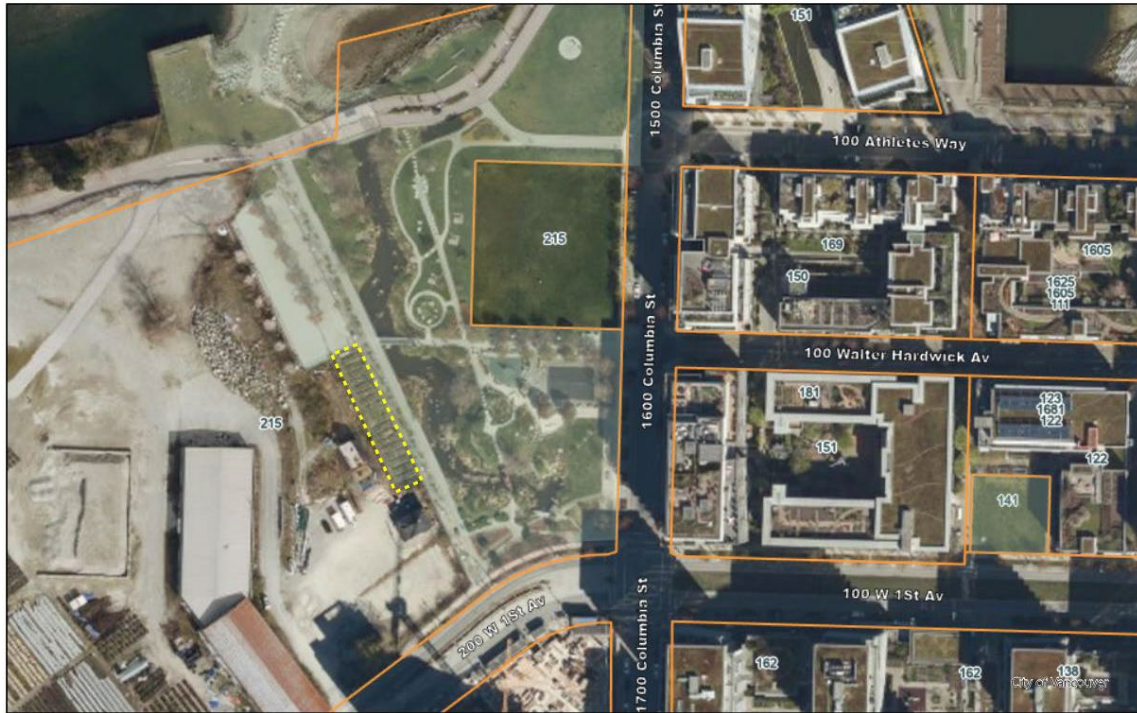
The General Manager Engineering in conjunction with General Manager, Real Estate and Facilities Management recommends entering into new agreements to licence and lease both areas A and B to the current Tenants on terms and conditions contained in the

Recommendations, noting that they both constitute a grant of nominal rent and a grant of payment in lieu of property taxes for City-owned property. Retaining these sites as urban agriculture spaces helps advance Council objectives around food-friendly neighbourhoods and urban agriculture as part of complete and resilient communities, and waste diversion.

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SCHEDULE "A"

LICENCE AREA: The False Creek Site



- Property Line
- Community Garden Site Boundary



Total size of license area: 440 square metres (4,736 square feet)

SCHEDULE "B"

LICENCE AREA: The Maple Street Site



Total size of lease area: 1,728 square meters (18,600 square feet)