



COUNCIL REPORT

Report Date: May 5, 2024
Contact: Lisa Parker
Contact No.: 604.871.6185
RTS No.: 16321
VanRIMS No.: 08-2000-20
Meeting Date: May 7, 2024
[Submit comments to Council](#)

TO: Vancouver City Council

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

SUBJECT: Licence Arrangements for City-Owned Properties at 5395 Dundee Street and the Closed Part of 2400 Keith Drive

Recommendations

- A. THAT Council authorize the Director of Real Estate Services to negotiate and execute a new licence agreement with DUNDEE COURT HOUSING CO-OPERATIVE (“Dundee Housing Co-op”), for an approximate 325 square meter portion of City-owned property located at 5395 Dundee Street, legally described as PID 014-190-559 Lot 12 PLAN VAP1926, 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, 2024, 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 \$22,737 per annum, or \$113,685 for the 5-year term of the licence.

- B. THAT Council authorize the Director of Real Estate Services to negotiate and execute a new licence agreement with 1280 E 8th COMMUNITY GARDEN SOCIETY (“1280 Garden Society”), for an approximate 740 square meter portion of City-owned property located at the unaddressed, closed part of 2400 Keith

Drive, legally described as PID 015-676-030, PLAN VAP1030 NEW WESTMINSTER LOT CLOSED PART OF KEITH DR BLK 113&114 -DL 264A PLN VAP1030 1771 2520, 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, 2024, 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 B constitutes a grant valued at approximately \$51,773 annum, or \$258,862.50 for the 5-year term of the licence.

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

Council approval is required to authorize each licence agreement 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*.

Purpose and Executive Summary

The licence arrangements recommended in this report present an opportunity to retain two secured community gardens spaces in our current urban agriculture inventory: 1) 5385 Dundee St operated by the Dundee Court Housing Co-op (see Appendix A for map) and 2) the closed part of 2400 Keith Dr operated by 1230 Garden Society (see Appendix B for map). The City most recently held a license for the Dundee site in 2023, whereas the closed part of 2400 Keith Dr has been unlicensed since its founding in 1997/1998.

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,

- Organisations have demonstrated an ability to responsibly manage their sites;
- Organisations could not continue operating if market rental rates were charged;
- No additional City funds will be required to support the initiatives;
- There are no plans for other uses at the sites in the next 5 to 10 years; and
- The removal of existing site elements could result in a cost to 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.
- [Vancouver Plan](#) – In July 2022, Council adopted the Vancouver Plan which includes a policy to increase opportunities for local food production.
- [Vibrant Vancouver](#) – In October 2023, Council released their strategic priorities for 2023-26, which included supporting local food production.

City Manager’s Comments

The City Manager concurs with the foregoing recommendations.

Context and Background

For several decades the City has supported urban agriculture initiatives including community gardens, urban farming, and Indigenous food and medicine gardens. Community demand for urban agriculture space is high and all community gardens report maintaining long waitlists for access to limited plots. 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 and urban agriculture sites on private property are especially important to retain given they are often subject to redevelopment.

There is no anticipated redevelopment during the license term for the two sites recommended in this report and thus they present strategic opportunities to retain the inventory of City-secured urban agriculture spaces and act on recent Council direction to support food friendly neighbourhoods and local food production.

5395 Dundee Street – Dundee Community Garden

The Dundee Community Garden is situated on an approximately 325 square metre, RT-11 zoned, City-owned lot located within the Norquay Village Neighbourhood Centre Plan area. The garden is operated by the Dundee Court Housing Co-op and has approximately 30 garden plots and four fruit trees. The garden was established in 2013 and acts as a pedestrian connection between Dundee Street and Earles Street. Dundee Community Garden most recently held a License Agreement with the City from October 2, 2018 to October 1, 2023.

This site is well-managed and there have been no issues or impacts to the surrounding area.

Closed part of 2400 Keith Dr (Unaddressed, PID 015-676-030) - China Creek Housing Coop Community Garden

The China Creek Housing Coop Community Garden is located on an approximately 740 square metre, RM-4N zoned, City-owned lot located within the Broadway Plan area. The garden is operated by the 1280 E 8th Community Garden Society, with a mandate to provide urban agriculture opportunities for China Creek Housing Co-op members. The garden was started in 1997/98 and consists of various shared common plots and approximately 23 individual plots.

This site is well-managed and there have been no issues or impacts to the surrounding area.

Discussion

Given these sites are currently working successfully and no redevelopment of them is anticipated, staff recommend these sites for ongoing use as community gardens subject to the terms and conditions outlined in this report.

Financial Implications

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

Should Council approve recommendations A and B, staff will arrange nominal rate licence agreements with the respective societies. These arrangements will represent an estimated annual rent subsidy totalling \$372,547.50 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; however, they are largely covered by the operators through member fees, donations, and fundraising.

The urban agriculture uses on the two sites have no new property tax implications because the properties are City owned and the current uses will be unchanged.

Legal Implications

All terms and conditions of the license agreements will be made to the satisfaction of the General Manager of Engineering, the General Manager of Real Estate and Facilities Management, and the Director of Legal Services. No legal rights or obligations are created unless and until all legal documentation has been executed and delivered by the respective parties.

Environmental Implications

There are no known environmental risks or concerns at any of the two sites. No negative impacts are anticipated to arise to any of the properties under recommendation in this report.

* * * * *

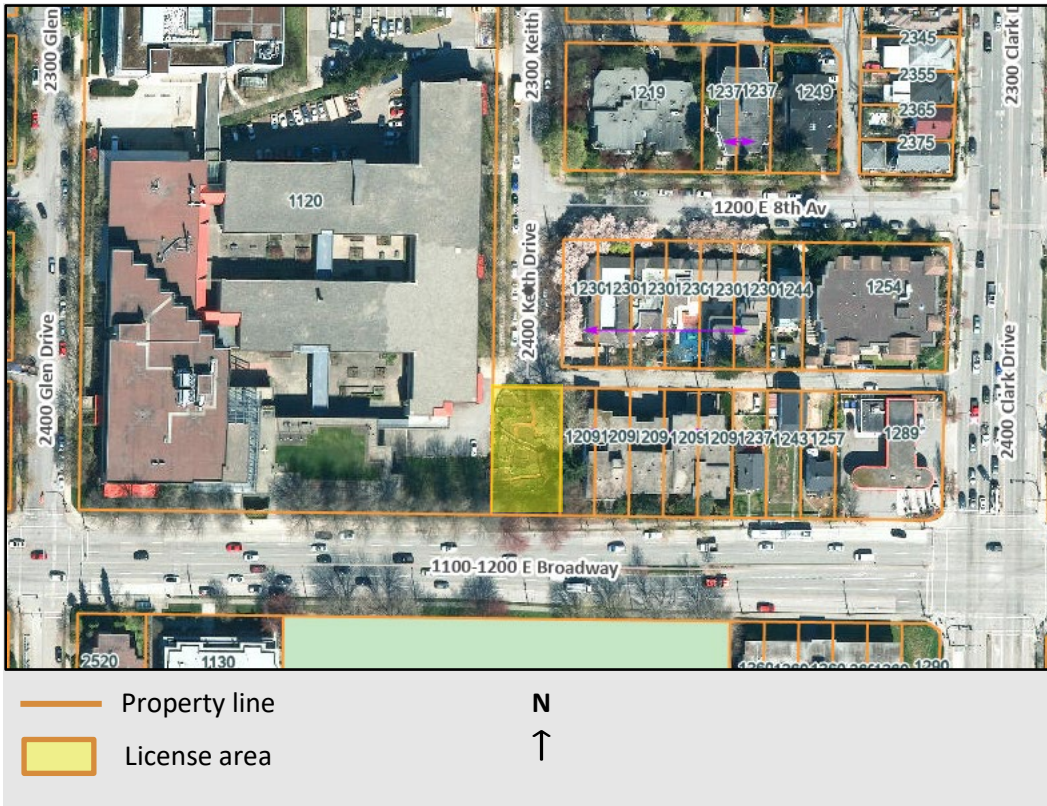
APPENDIX A

LICENCE AREA: 5395 DUNDEE ST



Total size of lease area: 325 square meters (3,498 square feet)

APPENDIX B
LICENCE AREA: CLOSED PART OF 2400 KEITH DR



Total size of lease area: 740 square meters (7,965 square feet)