



Corporate Report

NO: R047

COUNCIL DATE: April 20, 2009

REGULAR COUNCIL

TO: Mayor & Council DATE: April 7, 2009

FROM: General Manager, Engineering FILE: 0930-30/112

SUBJECT: Lease of Portion of City Land at 17910 Colebrook Road for Farming Purposes

RECOMMENDATION

The Engineering Department recommends that Council approve the lease to Nicomekl Farms Ltd. of a 38 acre portion of the City land located at 17910 Colebrook Road, as illustrated on Appendix I attached to this report, for a 5-year term commencing January 1, 2009, subject to public notification of this lease renewal pursuant to the *Community Charter, S.B.C. 2003, Chap. 26*.

BACKGROUND

The property located at 17910 Colebrook Road is a 46-acre parcel in the Agricultural Land Reserve. The easterly 8 acres as illustrated on Appendix I, which has not been farmed in the recent past, is proposed to be leased for the new SPCA Animal Control Centre, not including the residence, which is currently rented to a non profit housing society (Options: Services to the Community Society) for social housing funded by the Province. The Agricultural Land Commission has approved the subdivision of the subject parcel of land to facilitate the lease of the 8-acre site to the SPCA. Staff is processing the application in relation to completing the subdivision of the site.

Since the City purchased the subject property in 1989, it has been leasing the farmland portion (the westerly 38 acres) for farming purposes. The current tenant, Nicomekl Farms Ltd., has held the lease since 1997. At that time, there was an assignment of the lease to Nicomekl Farms from the previous tenants, who had been tenants of the land prior to its purchase by the City. Nicomekl Farms' 5-year lease expired in November 2006, and because of the uncertainty of the land requirements for the SPCA animal centre, it has continued to occupy the farmland on a month-to-month basis. City staff has not undertaken a public offering of the farmland due to the short-term nature of the proposed lease, being a 5-year lease with provisions for cancellation with one year's notice. Such a short-term lease restricts the tenant in relation to the types of farming that can be

undertaken on the leased farmland. Further, retaining the existing tenant should support good stewardship of the leased land.

DISCUSSION

Nicomekl Farms have agreed to a five-year lease term for the 38-acre farmland portion of the site commencing on January 1, 2009 at current market rates, which were based on similar lease agreements on local agricultural land. The tenant will also continue to be responsible for payment of all taxes and utilities. The new lease will contain provisions for the City to terminate it at no cost, with one year's notice should the City require the land for any purpose.

All City departments were consulted with respect to the new lease and there were no objections.

CONCLUSION

Based on the above, the Engineering Department recommends that Council approve the lease to Nicomekl Farms Ltd. of a 38 acre portion of the City land located at 17910 Colebrook Road, as illustrated on Appendix I attached to this report, for a 5-year term commencing January 1, 2009, subject to public notification of this lease renewal pursuant to the *Community Charter, S.B.C. 2003, Chap. 26*.

Vincent Lalonde, P. Eng.
General Manager, Engineering

AW/mpr/brb

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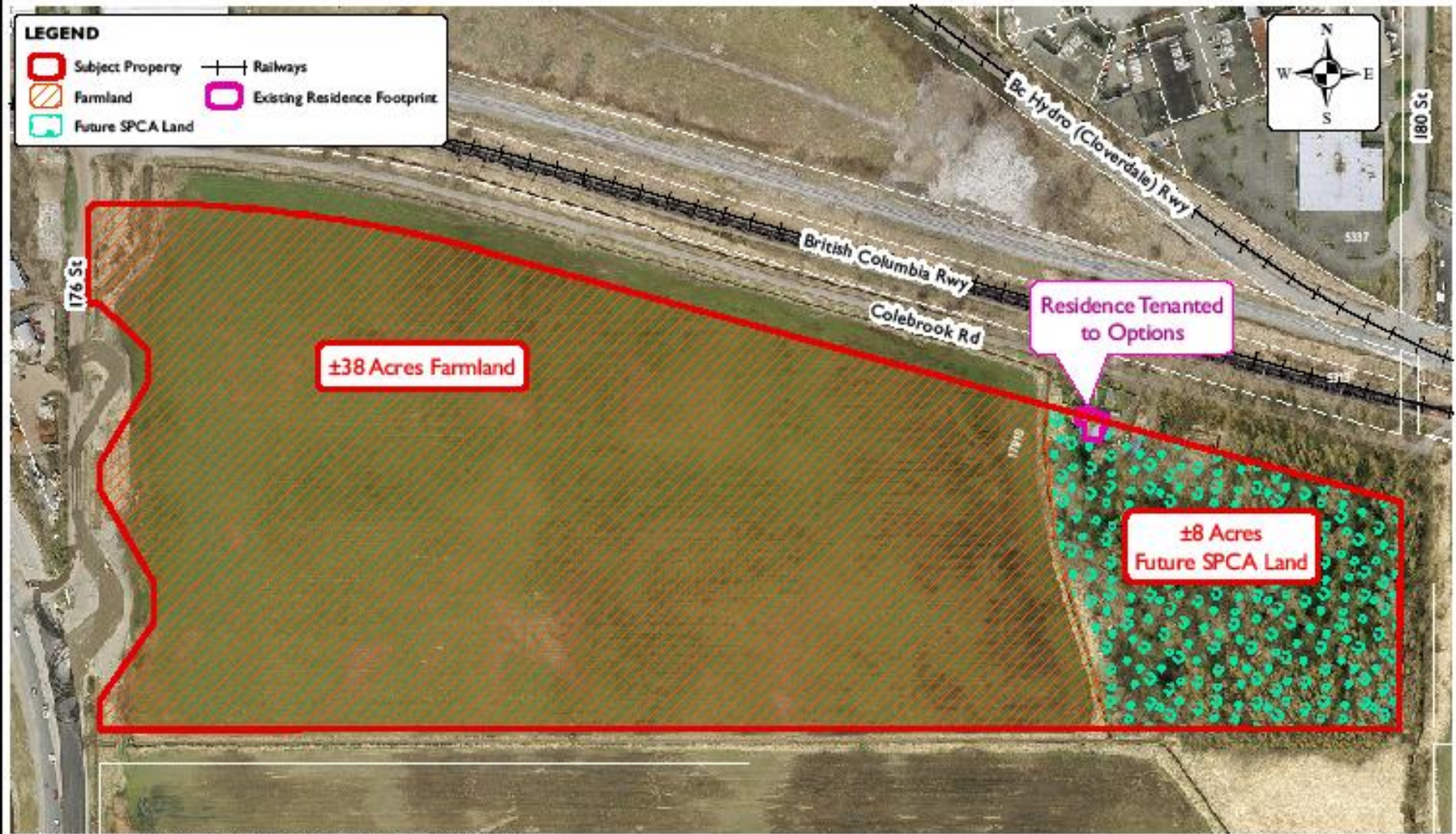
Appendices

I. Aerial Photo of Subject Property

APPENDIX I AERIAL PHOTOGRAPH OF SITE

LEGEND

- Subject Property
- Farmland
- Future SPCA Land
- Railways
- Existing Residence Footprint



PRODUCED BY ENGINEERING, GIS SECTION: March 30, 2009, CS

Date of Aerial Photography: April 2008



SUBJECT PROPERTY: 17910 Colebrook Rd
FILE: 0930-30/112

**REALTY
DIVISION**

The data provided is compiled from various sources and IS NOT warranted as to its accuracy or sufficiency by the City of Surrey.
This information is provided for information and convenience purposes only.
Lot sizes, legal descriptions and encumbrances must be confirmed at the Land Title Office.

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