

## REGULAR COUNCIL

**TO: Mayor & Council** **DATE: August 30, 2017**

**FROM: General Manager, Engineering** **FILE: 0930-30/099**  
**General Manager, Parks, Recreation & Culture**

**SUBJECT: Licence of Portions of 12562, 12584 and 12624 – 76 Avenue to Action BMX Association**

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## RECOMMENDATION

The Engineering Department and the Parks, Recreation & Culture Department recommend that Council approve the execution by the appropriate City officials of a Licence Agreement (the “Licence”) as generally described in this report with the Action BMX Association (“ABA”) to allow the ABA to occupy the 4 acre portion of 12562, 12584 and 12624 - 76 Avenue (the “Premises”), as generally illustrated in Appendix “I” attached to this report, to allow the ABA to continue to operate as an outdoor BMX track facility for a 3 year period.

## BACKGROUND

Portions of the Premises have been leased to ABA since 1992. The Premises is located within the Newton Athletic Park in an area completely encumbered by BC Hydro Right-of-Way. The ABA, a non-profit society, has 200 members who have utilized portions of the Premises every Monday and Thursday for racing events, practice and coaching clinics. The track is recognized as one of Canada’s premiere locations and has attracted Canada’s national team and Olympic hopefuls for training. When the Premises is not being used for officially sanctioned activities, it is open to the public.

## DISCUSSION

The ABA is now planning for additional track construction, which requires an expanded area (the “Expansion Area”) of the approximately 1 acre, as illustrated on the attached Appendix “I”. The total area of the licence, which includes the Expansion Area, would therefore be 4 acres. The Parks, Recreation & Culture Department is in agreement with the proposed track expansion. City staff and representatives of the ABA have now reached agreement on the terms and conditions of the newly proposed Licence.

Current policy regarding the licencing/leasing of City land and buildings to non-profit organizations is to licence/lease the land/building at fair market value. As a non-profit organization, the ABA has the opportunity to apply to Council for an annual grant in lieu of rent. Based on rental valuation determination of the subject Premises, the annual net rent for the proposed Licence is \$12,000.

1. Main Licence Terms:

Duration:	3 years (City may terminate agreement with 60 days notice)
Rent:	\$12,000 per annum
Utilities:	ABA responsibility
Maintenance:	ABA responsibility
Security and Insurance:	ABA responsibility

2. Operational Requirements:

The ABA agrees to be responsible for all operational costs associated with the licenced premises.

### SUSTAINABILITY CONSIDERATIONS

The proposed Licence supports the City's Sustainability Charter. In particular, the Licence agreement relates to the Sustainability Charter themes of Inclusion, and Health and Wellness. Specifically, the Licence agreement supports the following Desired Outcomes:

- Age-Friendly Community DO16: All children and youth have access to enriching programs, services, green space and opportunities for indoor and outdoor play that promote healthy development;
- Community Pride and Engagement SD15: Work at the neighbourhood level to empower local clubs, groups, individuals and agencies to contribute to a vibrant community;
- Wellness and Recreation DO6: Residents participate in a wide range of recreation and leisure opportunities;
- Wellness and Recreation DO7: Residents enjoy a high level of physical, social and mental wellness;
- Health Services and Programs SD1: Connect, facilitate and support people and organizations in innovative alliances for delivery of social, health and wellness programs; and
- Wellness and Recreation SD8: Promote greater participation in all forms of recreation.

### CONCLUSION

Based on the above discussion, it is recommended that Council approve the execution by the appropriate City officials of a Licence as generally described in this report with Action BMX Association that will allow the ABA to use portions of 12562, 12584 and 12624 – 76 Avenue for the operation of an outdoor BMX track facility.

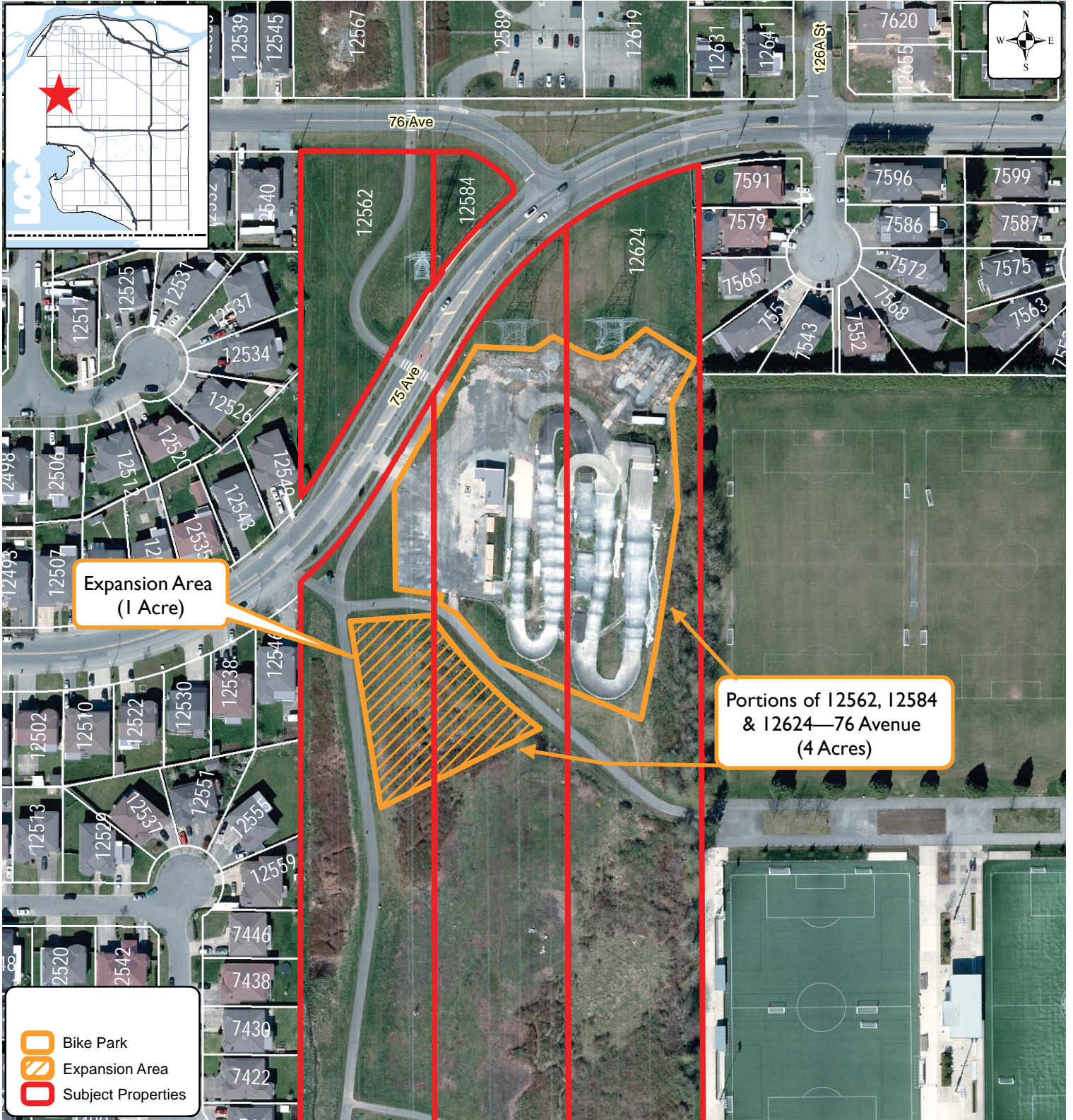
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KSW/amg/cc

Appendix "1" – Aerial Photograph of Site

AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: 30-Aug-2017, C9W

Date of Aerial Photograph: March 30, 2016

Scale: 1:2,000 0 10 M



Licence of Portions of 12562,  
12584 & 12624 - 76 Avenue to  
Action BMX Association

ENGINEERING  
DEPARTMENT