



Office of the City Clerk

Commission Agenda

Date2018 Mar 21

Correspondence.....(c)

K. O'Connell, City Clerk

INTER-OFFICE MEMORANDUM

TO: CHAIR AND MEMBERS
PARKS, RECREATION AND CULTURE
COMMISSION

DATE: 2018 MARCH 06

FROM: CITY CLERK

FILE: 61000-01

SUBJECT: **CONSENT TO METRO VANCOUVER REGIONAL PARKS SERVICE
AMENDMENT BYLAW NO. 1260**
ITEM NO. 4(A), CORRESPONDENCE, COUNCIL 2018 MARCH 05

Under the Correspondence portion of the 2018 March 05 Council meeting, reference was made to a letter dated 2018 February 23 from Metro Vancouver requesting consent to amend the Metro Vancouver Regional Parks Service to remove Abbotsford as a participant in the regional park function.

The removal of the City of Abbotsford from the Metro Vancouver Regional Parks District is supportable given that Abbotsford is a member of the Fraser Valley Regional District. Abbotsford will now appropriately join the Fraser Valley Regional Parks District.

Staff support the resolution because the payments for, and benefits from, the Metro Vancouver Regional Parks system will now be directly aligned with the member municipalities of the Metro Vancouver Regional District.

Arising from discussion, Council adopted the following motions:

1. **THAT** the Council of Burnaby approves adoption of Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018 by providing consent on behalf of the electors.
2. **THAT** a copy of Metro Vancouver Regional District Bylaw No. 1260, 2018 and related Metro Vancouver reports be forwarded to the Burnaby Parks, Recreation and Culture Commission for information.

A handwritten signature in black ink, appearing to read "Kate O'Connell", written over a horizontal line.

Kate O'Connell
City Clerk

NOTE

This is for the information of the Commission

KO:rj

Copied to: City Manager, Director Parks, Rec., and Cultural Services, Director Planning and Building



Office of the City Clerk

K. O'Connell, City Clerk

INTER-OFFICE MEMORANDUM

TO: HIS WORSHIP, MAYOR CORRIGAN
AND COUNCILLORS

DATE: 2018 March 02

FROM: CITY CLERK

SUBJECT: **METRO VANCOUVER REGIONAL PARKS SERVICE AMENDMENT
BYLAW NO. 1260**

At the 2018 February 05 Regular Council Meeting, Council passed a motion in support of the Metro Vancouver Regional District Parks Service Amending Bylaw No. 1255, 2017.

The City has received correspondence from Metro Vancouver advising that the Inspector of Municipalities has indicated that Bylaw No. 1255 will not be approved. The Inspector requested a new bylaw be prepared for Council consent.

Recent correspondence from Metro Vancouver on this matter is included in the Correspondence section of Monday's Regular Council Meeting agenda (2018 March 05). The new Bylaw No. 1260 is identical to the previous bylaw except that the following Clause G has been removed:

"The Metro Vancouver Regional District has obtained the approval of the Lieutenant Governor in Council to the continued operation of the Regional Parks Service outside the boundaries of the MVRD; and"

The Office of the City Clerk conveyed the information to the Director of Parks, Recreation and Culture to determine if there were any concerns in supporting Bylaw No. 1260. The Director of Parks, Recreation and Culture did not have any concerns and believes the bylaw is still supportable as presented.

A correspondence script with the requested motion will be provided to Council prior to the Monday's meeting.

Kate O'Connell
CITY CLERK

Copy: City Manager
Director Corporate Services
Director Parks, Rec. & Cult. Service

FEB 26 2018

File: CR-12-01
Ref: RDP 2018 Feb 23

Kate O'Connell, City Clerk
City of Burnaby
4949 Canada Way
Burnaby, BC V5G 1M2

Dear Ms. O'Connell:

Re: Consent to Metro Vancouver Regional Parks Service Amendment Bylaw No. 1260

At its February 23, 2018 regular meeting, the Board of Directors of the Metro Vancouver Regional District (Metro Vancouver) gave three readings to *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018*; directed staff to seek consent of at least 2/3 of the participants to amend the service area to remove Abbotsford as a participant in the regional park function; and following that, forward the Bylaw to the Inspector of Municipalities for approval.

Section 346 of the *Local Government Act* applies to municipal participating area approval and therefore a council may give participating area approval by consenting on behalf of the electors to the adoption of the Bylaw.

I respectfully ask that this matter be included on Council agenda. A sample resolution is set out below for your convenience:

"The Council of _____ approves adoption of *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018* by providing consent on behalf of the electors."

A response, including Council resolution, to my attention by March 9, 2018 is appreciated. Should you have questions or need clarification, I can be reached at 604.432.6338 or by email at chris.plagnol@metrovancover.org.

Yours truly,

A handwritten signature in black ink, appearing to read 'CP' followed by a stylized flourish.

Chris Plagnol
Corporate Officer

CP/kh

Encl: Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018
Regional Parks Service Amendment Bylaw No 1260, dated February 19, 2018

24614992

**METRO VANCOUVER REGIONAL DISTRICT
BYLAW NO. 1260, 2018**

**A Bylaw to Amend Greater Vancouver Regional District
Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005**

BACKGROUND:

- A. By Division V of Letters Patent issued January 13, 1972, as amended by further Supplementary Letters Patent, Metro Vancouver Regional District was granted the function of regional parks (the **"Regional Parks Service"**), and the participating areas for the Regional Parks Service were deemed to include not only Metro Vancouver Regional District member municipalities, but also member municipalities of the former Vancouver-Fraser Park District;
- B. One of the member municipalities of the former Vancouver-Fraser Park District was the former District of Matsqui, which was not within the boundaries of the MVRD;
- C. On January 1, 1995, the former District of Matsqui and the former District of Abbotsford were incorporated as the City of Abbotsford;
- D. On July 25, 2005, the Board of Directors of the Metro Vancouver Regional District adopted "Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005", a bylaw to convert the Regional Parks Service and to amend the participating areas to include the area within the boundaries of the former District of Abbotsford, such that the whole of the City of Abbotsford became a municipal participating area for the Regional Parks Service;
- E. The City of Abbotsford has consented to an amendment to the "Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005", to remove the City of Abbotsford as a participating area from the Regional Parks Service;
- F. The Board of Directors of the Metro Vancouver Regional District wishes to amend "Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005";
- G. Two-thirds of the participants in the Regional Parks Service have consented to the adoption of this Bylaw to amend the "Greater Vancouver Regional District Parks Service Conversion and Amendment Bylaw No. 1024, 2005".

NOW THEREFORE the Board of Directors of the Metro Vancouver Regional District, in open meeting assembled, enacts as follows:

1. The Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005 (the "Bylaw") is hereby amended as follows:
 - a) By deleting section 2 of the Bylaw; and
 - b) In section 3 of the Bylaw, by striking the phrase "City of Abbotsford" in its entirety.
2. This bylaw may be cited as "Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018".

READ A FIRST TIME THIS 23 day of February, 2018.

READ A SECOND TIME THIS 23 day of February, 2018.

READ A THIRD TIME THIS 23 day of February, 2018.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS _____ day of _____, 2018.

PASSED AND FINALLY ADOPTED THIS _____ day of _____, 2018.

Greg Moore, Chair

Chris Plagnol, Corporate Officer



To: MVRD Board

From: Chris Plagnol, Corporate Officer

Date: February 19, 2018

Meeting Date: February 23, 2018

Subject: **Regional Parks Service Amendment Bylaw No. 1260**

RECOMMENDATION

That the MVRD Board:

- a) give first, second and third reading to *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018*; and
 - b) direct staff to seek consent of at least 2/3 of the participants to amend the service area to remove Abbotsford as a participant in the regional park function, and following that, forward the *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018* to the Inspector of Municipalities for approval.
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PURPOSE

To consider first, second and third reading of the *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018* that will initiate the withdrawal of the City of Abbotsford as a participant in the regional parks function, and to direct staff to seek consent of at least 2/3 of the participants in the regional parks function in relation to the withdrawal of the City of Abbotsford as a participant.

BACKGROUND

On January 26, 2018, the MVRD Board furthered the withdrawal of the City of Abbotsford as a participant in the MVRD Regional Parks Service by giving second and third reading to the *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1255, 2017*, and by directing staff to seek consent of the participants for the Amending Bylaw.

This Amending Bylaw had been previously provided to the Ministry of Municipal Affairs and Housing for its preliminary consideration and to highlight any areas of concern given the complexity of the matter.

On February 15, 2018, the Ministry informed Metro Vancouver that after further investigation, the Amending Bylaw 1255 could not be approved by the Inspector of Municipalities. The Bylaw contained a reference to an Order-in-Council which the Ministry reasoned could not override the statutory requirements for operating a park outside the boundaries of the regional district. On that basis, the Inspector of Municipalities has indicated that the Amending Bylaw cannot be approved, but has recommended a new Amending Bylaw be prepared.

This report brings forward a new Amending Bylaw to initiate the withdrawal of the City of Abbotsford as a participant in the regional parks function.

MVRD REGIONAL PARKS AMENDING BYLAW

The adoption of a bylaw to amend the *Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005* is required to facilitate the withdrawal of the City of Abbotsford from the Metro Vancouver Regional Parks function. If approved, the Amending Bylaw will amend the participants in the service area by removing the City of Abbotsford as a participant under section 2 and section 3 of Conversion Bylaw 1024.

The proposed Amending Bylaw 1260 is substantially similar to the former Amending Bylaw 1255 (which will be abandoned) except it no longer contains a clause intended to continue park operations outside the boundaries of the regional district. A complete background on various elements of Abbotsford's withdrawal from the service was provided in the report dated January 26, 2018, titled "Regional Parks Service Amendment Bylaw No. 1255".

The new Amending Bylaw is before the Board for first, second and third reading. Once third reading is given, the Amending Bylaw will be circulated to all service area participants (which includes the City of Abbotsford) to obtain their consent to the adoption of the Bylaw. Two-thirds consent of participants is required before the Amending Bylaw can be considered for adoption by the Board. Once consent is obtained, the Amending Bylaw will be forwarded to the Inspector of Municipalities for approval.

ALTERNATIVES

1. That the MVRD Board:
 - a) give first, second and third reading to *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018*; and
 - b) direct staff to seek consent of at least 2/3 of the participants to amend the service area to remove Abbotsford as a participant in the regional park function, and following that, forward the *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018* to the Inspector of Municipalities for approval.
2. That the MVRD Board receive for information the report dated February 19, 2018, titled "Regional Parks Service Amendment Bylaw No. 1260" and provide alternate direction.

FINANCIAL IMPLICATIONS

If the Board approves alternative one, the financial implications include an adjustment to Metro Vancouver's 2018 Annual Budget and Financial Plan (which will be brought forward in March), a reimbursement from the Fraser Valley Regional District on the City of Abbotsford's behalf for its allocated costs of participating in the MVRD regional parks function for the months from January to March 2018, and a one-time payment by Metro Vancouver to the City of Abbotsford representing the proportional return of Park Reserve Fund contributions and transitional costs.

The Fraser Valley Regional District is in the process of establishing a new sub-regional parks function with the City of Abbotsford as a participant beginning in 2018. The transferred regional parks will form part of the new FVRD regional parks function.

If the Board does not approve the Amending Bylaw, the City of Abbotsford will remain as a participant in the MVRD Regional Parks function. The approval of this alternative will require a review of the terms and conditions agreed upon by Metro Vancouver and the City of Abbotsford with respect to its withdrawal from the function and the disposition of parkland.

SUMMARY / CONCLUSION

The MVRD Board approved the terms for the withdrawal of the City of Abbotsford as a participant in the MVRD Regional Parks Service. This change to the service area requires an amendment to the *Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005* to amend service area participants. This report brings forward the associated Amending Bylaw to facilitate this service withdrawal for consideration by the Board. Staff recommend Alternative One.

Attachments:

1. *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018*

24599727

**METRO VANCOUVER REGIONAL DISTRICT
BYLAW NO. 1260, 2018**

**A Bylaw to Amend Greater Vancouver Regional District
Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005**

BACKGROUND:

- A. By Division V of Letters Patent issued January 13, 1972, as amended by further Supplementary Letters Patent, Metro Vancouver Regional District was granted the function of regional parks (the **"Regional Parks Service"**), and the participating areas for the Regional Parks Service were deemed to include not only Metro Vancouver Regional District member municipalities, but also member municipalities of the former Vancouver-Fraser Park District;
- B. One of the member municipalities of the former Vancouver-Fraser Park District was the former District of Matsqui, which was not within the boundaries of the MVRD;
- C. On January 1, 1995, the former District of Matsqui and the former District of Abbotsford were incorporated as the City of Abbotsford;
- D. On July 25, 2005, the Board of Directors of the Metro Vancouver Regional District adopted "Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005", a bylaw to convert the Regional Parks Service and to amend the participating areas to include the area within the boundaries of the former District of Abbotsford, such that the whole of the City of Abbotsford became a municipal participating area for the Regional Parks Service;
- E. The City of Abbotsford has consented to an amendment to the "Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005", to remove the City of Abbotsford as a participating area from the Regional Parks Service;
- F. The Board of Directors of the Metro Vancouver Regional District wishes to amend "Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005";
- G. Two-thirds of the participants in the Regional Parks Service have consented to the adoption of this Bylaw to amend the "Greater Vancouver Regional District Parks Service Conversion and Amendment Bylaw No. 1024, 2005".

NOW THEREFORE the Board of Directors of the Metro Vancouver Regional District, in open meeting assembled, enacts as follows:

1. The Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005 (the "**Bylaw**") is hereby amended as follows:
 - a) By deleting section 2 of the Bylaw; and
 - b) In section 3 of the Bylaw, by striking the phrase "City of Abbotsford" in its entirety.
2. This bylaw may be cited as "Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018".

READ A FIRST TIME THIS _____ day of _____, 2018.

READ A SECOND TIME THIS _____ day of _____, 2018.

READ A THIRD TIME THIS _____ day of _____, 2018.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS _____ day of _____, 2018.

PASSED AND FINALLY ADOPTED THIS _____ day of _____, 2018.

Greg Moore, Chair

Chris Plagnol, Corporate Officer