

TO: CITY MANAGER 2020 June 17

FROM: DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #20-02 – Parkcrest Elementary School
Park and Public Uses**

ADDRESS: 5942 Winch Street and a portion of 6055 Halifax Street
(see *attached* Sketches #1 and #2)

LEGAL: Lot 170, DL 129, Group 1, NWD Plan 26917 and North 130 Feet Lot 114 Except:
Parcel “A” (Explanatory Plan 15067); DL 129, Group 1, NWD Plan 1492.

FROM: R4 Residential District

TO: P3 Park and Public Use District

APPLICANT: McElhanney
(on behalf of City of Burnaby and School District No. 41)
Suite 2300-13450 102 Avenue
Surrey, BC V3T 5X3

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on
2020 July 28.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2020 July 06, and to a Public Hearing on 2020 July 28 at 5:00 p.m.
2. **THAT** the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 4.5 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
3. **THAT** the land exchange be approved in principle involving the City owned properties and Burnaby School District No. 41, in accordance with the terms outlined in Section 4.6 of this report, and subject to the applicant pursuing the rezoning application to completion.
4. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a. The completion of the necessary subdivision and consolidation into two legal lots.

- b. The completion of the City and School District land exchange.
- c. The deposit of sufficient monies including a 4% Engineering Inspection Fee to cover all the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design.
- d. The completion of the Highway Closure Bylaw as described in Section 4.5 of this report.
- e. The dedication of any rights-of-way deemed requisite.
- f. The undergrounding of existing overhead wiring abutting the site, as determined by the Director Engineering.
- g. The granting of any necessary statutory rights-of-way, easements and/or covenants.
- h. The submission of a suitable on-site stormwater management system to the approval of the Director of Engineering, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.

R E P O R T

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to formalize the subject properties current use as part of the Parkcrest Elementary School and Park Site, and to facilitate the subdivision and land exchange between the City of Burnaby and the School District.

2.0 POLICY FRAMEWORK

The proposed rezoning application aligns with the following goals and sub-goals of the Corporate Strategic Plan:

A Connected Community

- Partnership - Work collaboratively with businesses, educational institutions, associations, other communities, and governments.

An Inclusive Community

- Celebrate diversity - Create more opportunities for the community to celebrate diversity.

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- Serve a diverse community - Ensure City services fully meet the needs of our dynamic community.
- Create a sense of community - Provide opportunities that encourage and welcome all community members and create a sense of belonging.

A Healthy Community

- Healthy life - Encourage opportunities for healthy living and well-being.
- Healthy environment - Enhance our environmental health, resilience, and sustainability.
- Lifelong learning - Improve upon and develop programs and services that enable ongoing learning.
- Community involvement - Encourage residents and businesses to give back to and invest in the community.

3.0 BACKGROUND INFORMATION

- 3.1 The two abutting subject properties, located at 5942 Winch Street and a portion of 6055 Halifax Street, are owned by the City of Burnaby and the Burnaby School District No. 41, respectively. The subject properties front the south side of Winch Street and are currently used as greenspace and a playground area (see *attached* Sketch #1).
- 3.2 The subject properties are within the larger Parkcrest Elementary School and Park Site (“**Parkcrest Site**”). The Parkcrest Site, which fronts onto Winch Street (north), Halifax Street (south), and Sherban Court (west), totals approximately 3.16 hectares (7.81 acres) and includes the Parkcrest Elementary School and preschool; two playgrounds; a sports field; and park and open space (see *attached* Sketch #2). The Parkcrest Site is comprised of multiple properties with varied ownership between the City and the School District. In total, the site is comprised of five City-owned properties, an undeveloped City road right-of-way, and 11 School District owned properties (see *attached* Sketch #3).
- 3.3 The subject properties are zoned R4 Residential District, which provides for the development of single – and two-family dwellings. All other properties within the Parkcrest Site are zoned P3 Park and Public Use District. Surrounding the Parkcrest Site is an established single- and two-family residential neighbourhood.
- 3.4 The City and the School District have a long-standing partnership overseeing an integrated framework of school and park sites that are intended to meet the long-term educational, community facility, and park and open space needs of Burnaby residents. In part, this strong relationship has allowed the City and the School District to plan, designate and acquire lands for school and community purposes, and to exchange lands to better achieve school and community objectives.
- 3.5 The City-owned subject property at 5942 Winch Street was acquired in 2002 to protect its continued public use as part of the Parkcrest Site. Noting that the property is surrounded

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by School District owned land, it was anticipated that the property could be involved in a future subdivision and land exchange between the City and the School District, in order to consolidate and equitably organize the public land ownership across the Parkcrest Site.

- 3.6 In 2009, a Council Report was presented to Council to advise on the historic ownership, acquisition and inventory of lands used for schools in Burnaby. In that report, it was identified that some school and park lands still have a prevailing residential zoning in place that is inconsistent with their public use. This would include the two subject properties that are used for school and park purposes but are zoned as R4 Residential District. The report recommended that lands under these circumstances be rezoned to the P3 Park and Public Use District on a case-by-case basis to reflect their public use, as supported by the Official Community Plan.
- 3.7 On 2020 April 27, Council received the report of the Planning and Building Department regarding the rezoning of the two subject properties and authorized the Department to continue to work with the applicant in the preparation of a subdivision and consolidation plan to organize the Parkcrest Site, with the understanding that a further and more detailed report would be submitted at a later date.
- 3.8 The applicant has now submitted a plan to consolidate the two subject properties as part of a larger subdivision, road closure and land exchange to consolidate the Parkcrest Site into two legal lots.

4.0 GENERAL COMMENTS

- 4.1 On behalf of the City of Burnaby and the School District, the applicant is proposing rezoning of the subject properties from the R4 Residential District to the P3 Park and Public Use District to bring the subject properties into conformity with their existing public use and the surrounding P3 District zoning of the Parkcrest Site (see *attached* Sketch #1 and #2). The rezoning application reinforces the intended public use of these lands over the long term.
- 4.2 Having the entirety of the Parkcrest Site under the P3 District would also facilitate the subdivision, road closure and land exchange between the City and the School District. This process would lead to the creation of two independently owned, albeit integrated sites. As shown on the *attached* Sketch #4, the west site would be owned by the City for park uses; the east site would be owned by the School District for continued educational use. In function, the two sites would continue to be well integrated as a park and school site that collectively provide a key resource in meeting educational, recreational, and social needs of the neighbourhood.
- 4.3 Further, the rezoning the subject properties and organizing the land ownership across the Parkcrest Site would support active plans by the School District to reinvest in this site through the partial replacement and seismic upgrading of the existing Parkcrest Elementary School. A subdivision and land exchange between the City and the School District would

create one single School District property to plan improvements upon. The plans for these improvements do not impact the subject properties, which will continue to be used as open space and a playground area.

- 4.4 The Parkcrest Site is approximately 3.15 hectares (7.81 acres) in area, and comprised of five City-owned properties, an undeveloped City road right-of-way east of Sherban Court, and 11 School District owned properties (see *attached* Sketch #3). The subdivision proposes to assemble and organize these lands into one City Park property and one School District property that are approximately 8,190 m² (88,156 sq. ft.) and 23,400 m² (251,875 sq. ft.) in area, respectively equal in area to the existing land holdings (see *attached* Sketch #4).
- 4.5. The Parkcrest Site includes an undeveloped City road right-of-way that contains the easternmost portion of Sherban Court and has a land area of approximately 2,429.43 m² (26,150 sq. ft.). There is no community or transportation benefit in maintaining the undeveloped road right-of-way because it intersects through the middle of the Parkcrest Park and Elementary School. More specifically, this area is currently used as greenspace, a walking path, and a playfield. The closure of this road right-of-way to formalize this public use for the long term would be achieved through a Highway Closure Bylaw that is subject to Council approval (see *attached* Sketch #5). Statutory rights-of-way to protect existing utilities will be required.
- 4.6 In regards to the land exchange, approximately 1,642.48 m² (17,680 sq. ft.) of City land is proposed to be exchanged for an equal amount of School District land (see *attached* Sketch #6). The land exchange allows the City-owned lot at 5942 Winch Street to be transferred to the School District, as this property is surrounded by School District lands and integrated with the Elementary School use. In return, the School District would transfer an equal amount of their land at 6055 Halifax Street in order to expand the size of the abutting City Park. The proposed land exchange does not involve any monetary exchange between the City and the School District because the same amount of land area is to be exchanged, and will be subject to a detailed site survey. The areas to be included in the proposed exchange are listed below and shown on the *attached* Sketch 6:

School District Properties to become City-Owned Properties:

- West portion of 6055 Halifax Street - 1,237.8 m² (13,324 sq. ft.)
- South portion of 6055 Halifax Street - 404.68 m² (4,356 sq. ft.)

Total - 1,642.48 m² (17,680 sq. ft.)

City Owned Properties to become School District Properties:

- Portion of road right-of-way closure - 809.76 m² (8,716 sq. ft.)
- 5942 Winch Street - 832.72 m² (8,963 sq. ft.)

Total - 1,642.48 m² (17,680 sq. ft.)

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In order to complete this land exchange, Council approval is requested to exchange these equal portions of land, with any associated administrative and / or survey costs payable by the School District. In addition to Council approval, the land exchange is contingent upon the completion of the subject rezoning application. It is recommended the land exchange involving the City and the School District properties be approved in principle, in accordance with the terms outlined above, and subject to the applicant pursuing the rezoning application to completion.

- 4.7 The Director Engineering will assess the need for any further required services to the site, including, but not necessarily limited to:
- construction of Winch Street along the Parkcrest Site's frontage to a local residential street standard;
 - construction of Halifax Street along the Parkcrest Site's frontage to a local residential standard; and,
 - storm, sanitary sewer, and water main upgrades as required.
- 4.8 Any necessary easements, covenants and statutory rights-of-way for the site are to be provided, that may include, but not necessarily be limited to:
- a Section 219 Covenant and bonding to assure the provision and continuing maintenance of stormwater management system;
 - statutory rights-of-way along pedestrian pathways across the Parkcrest Site to provide for public access from Sherban Court to Halifax Street and Winch Street; and,
 - statutory rights-of-way protect existing infrastructure within the closed portion of Sherban Court and adjacent consolidated lots.
- 4.9 The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation is required.



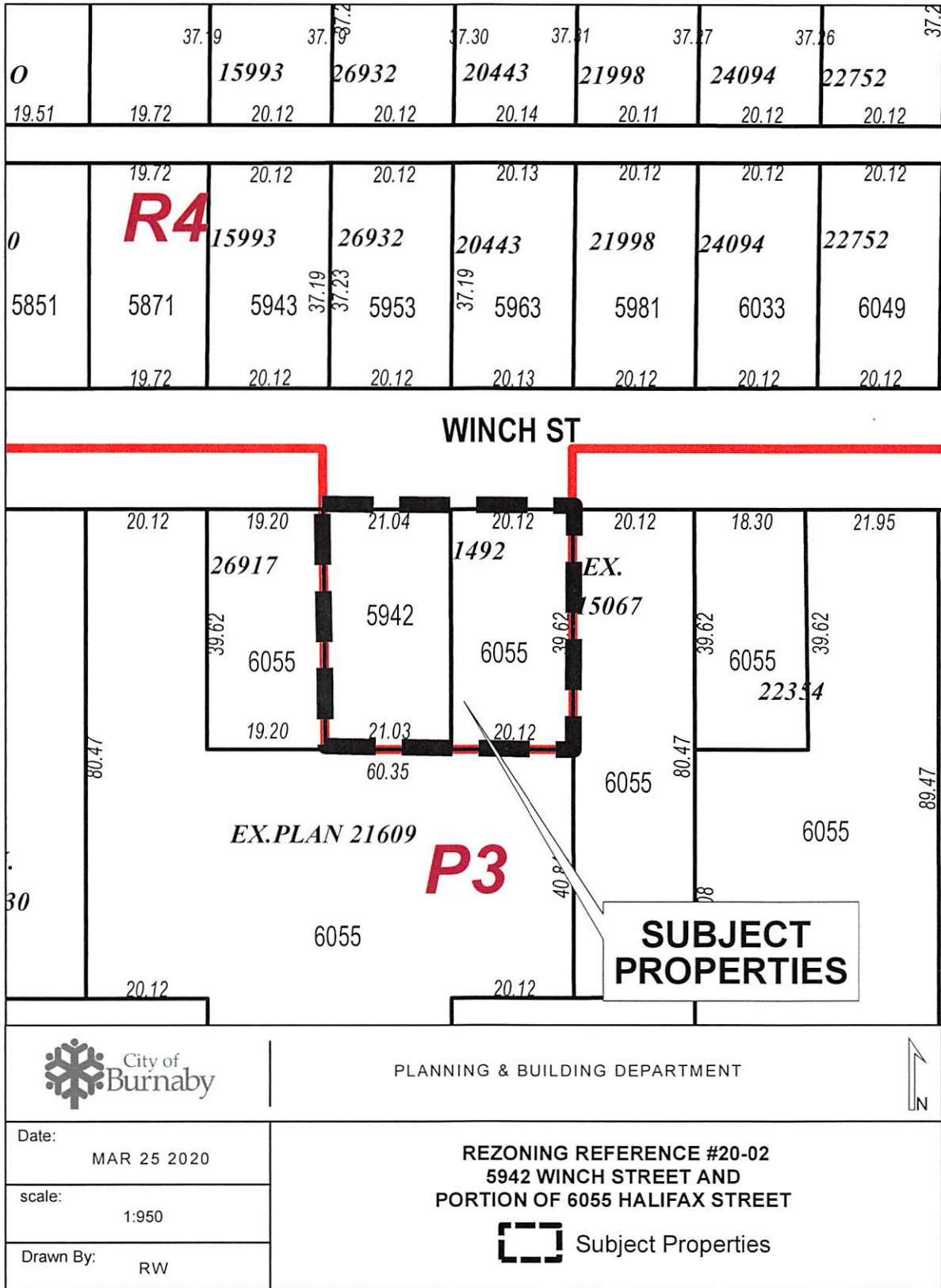
E.W. Kozak, Director
PLANNING AND BUILDING

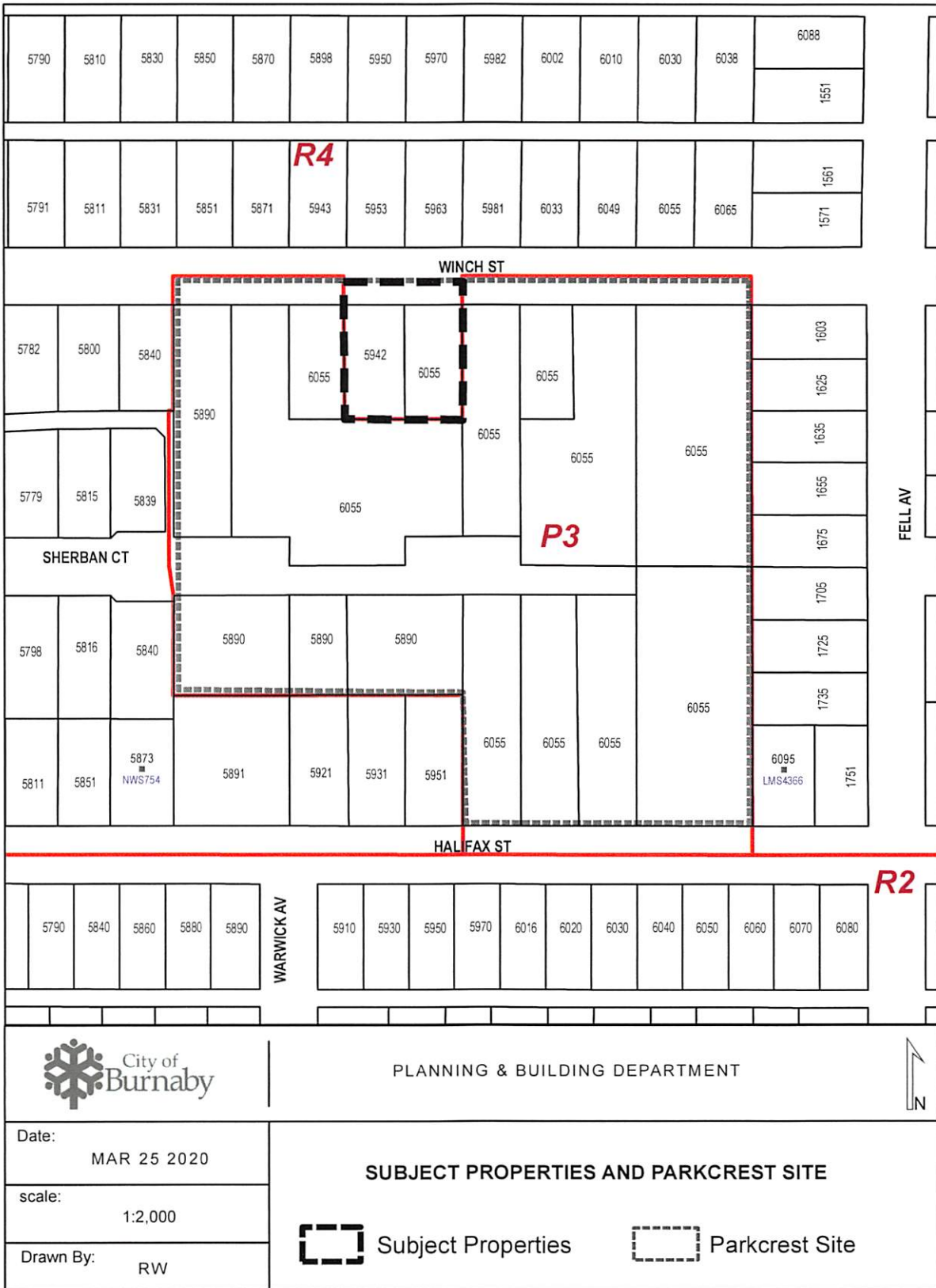
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Attachments

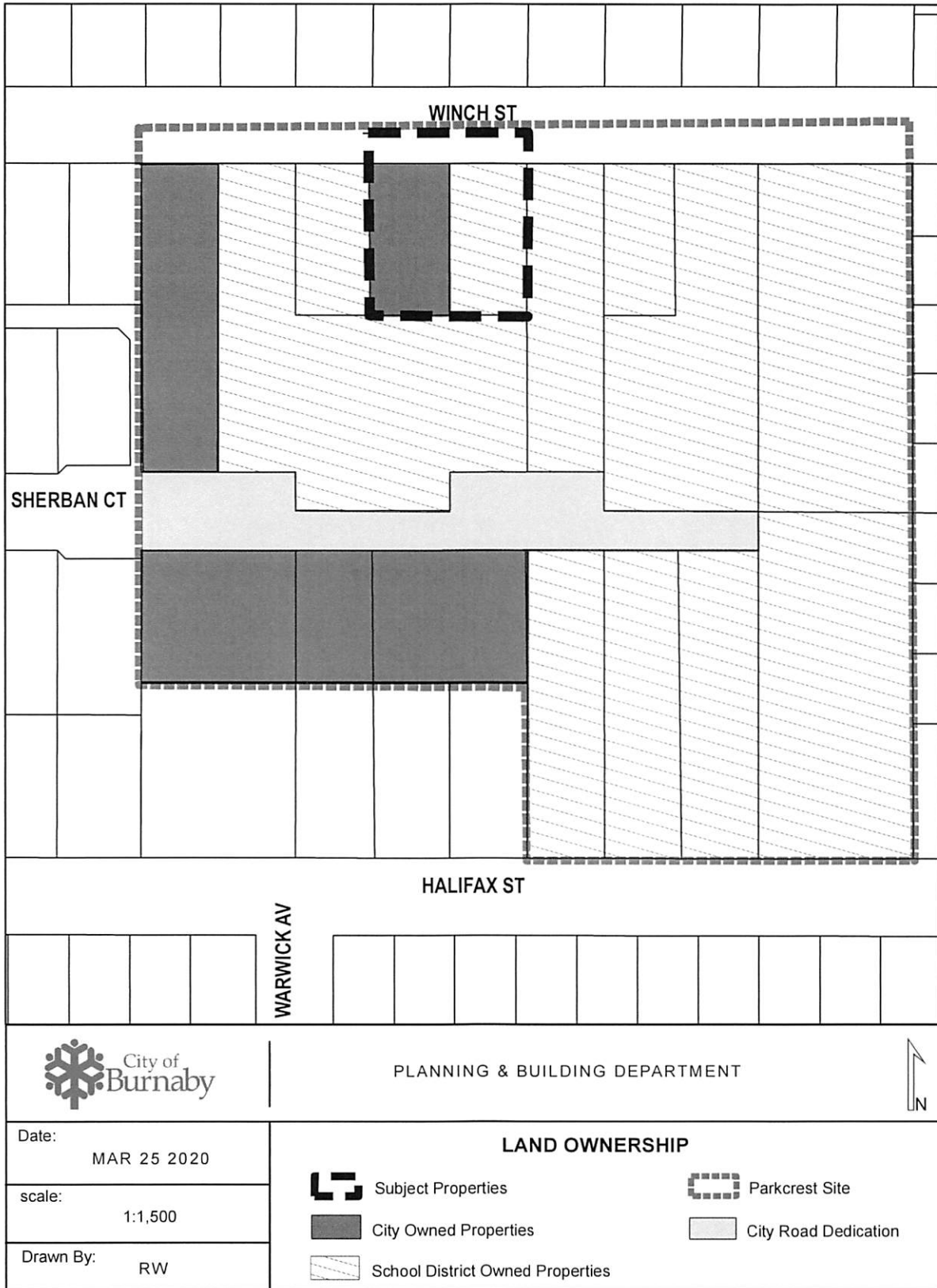
cc: Director Parks, Recreation and Cultural Services
Director Public Safety and Community Services
City Solicitor

Director Corporate Services
Director Engineering
City Clerk

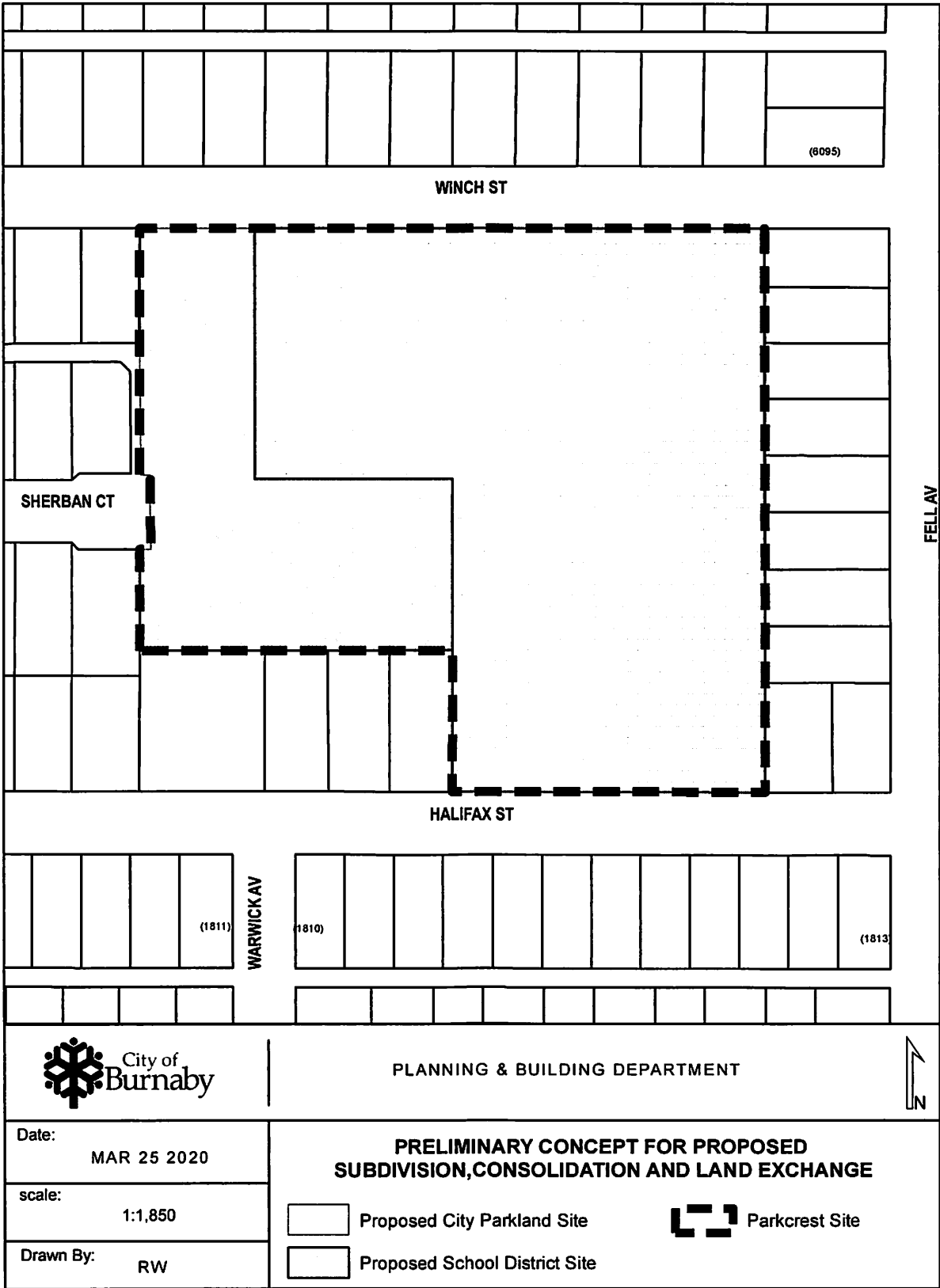


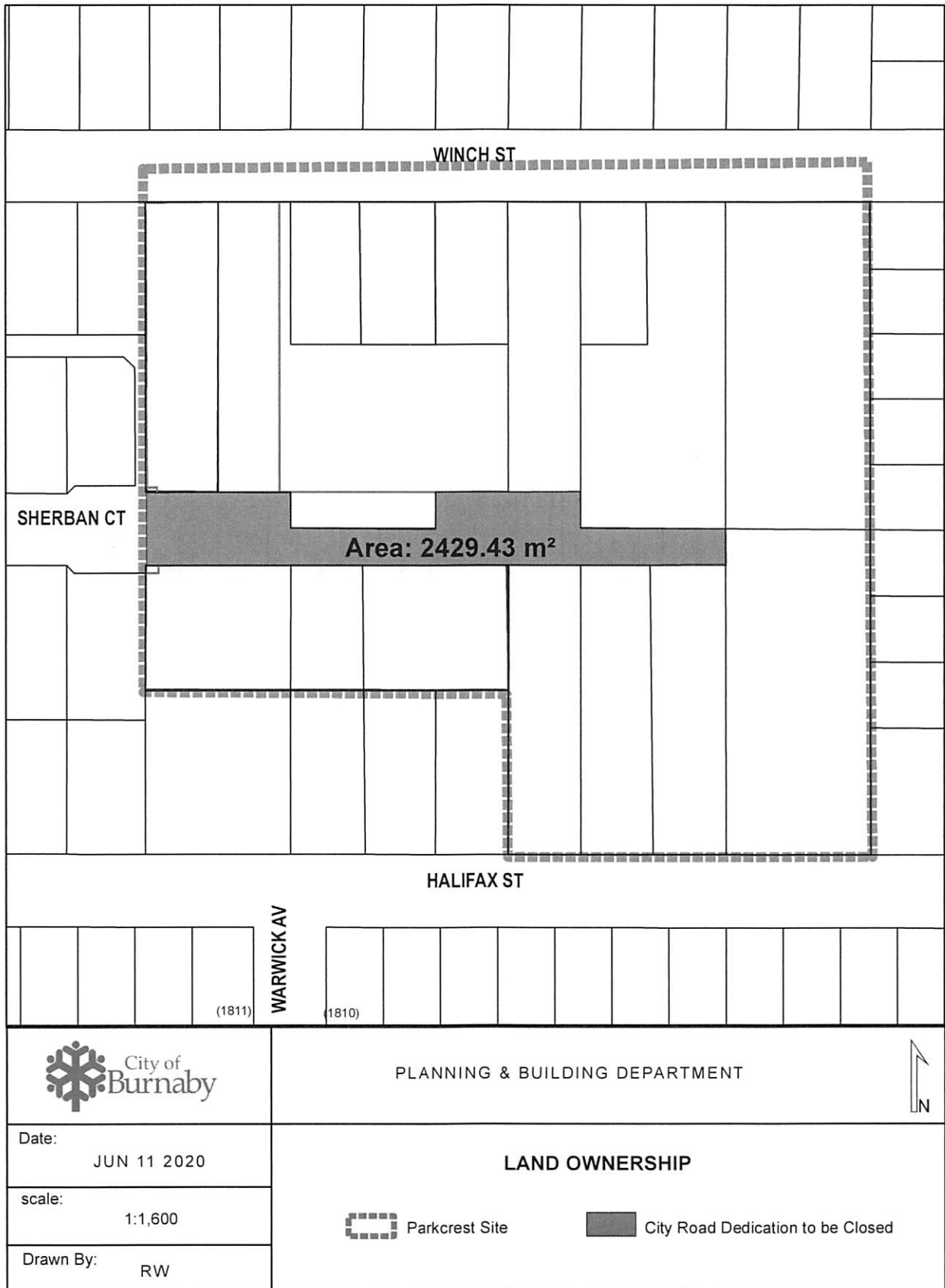


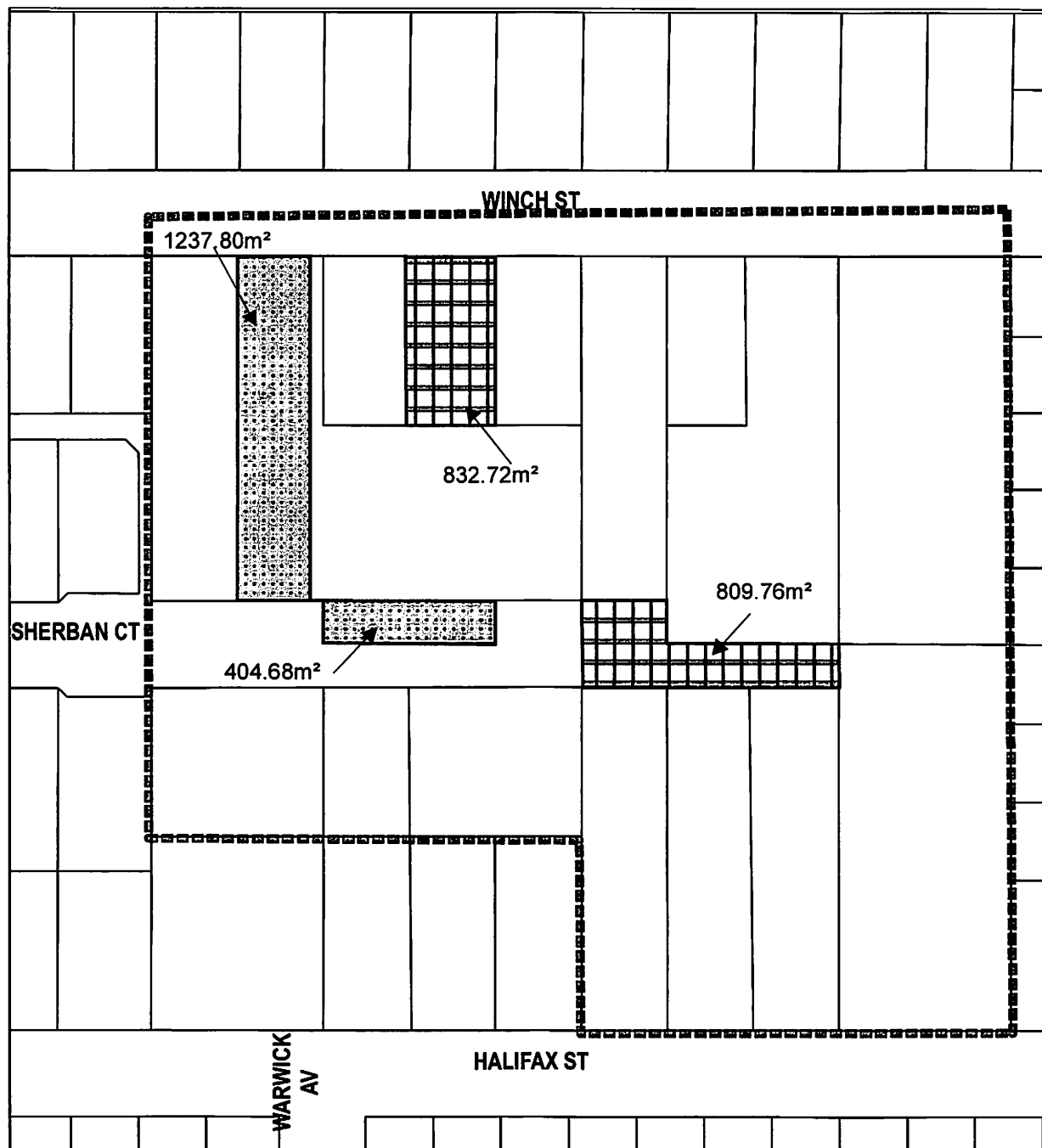
Sketch #2



Sketch #3







PLANNING & BUILDING DEPARTMENT



Date:
JUN 9 2020

scale:
1:1,500

Drawn By:
RW

LAND EXCHANGE



Parkcrest Site



City of Burnaby lands to be transferred School District



School District lands to be transferred to the City of Burnaby

Sketch #6