



Financial Management Committee
c/o Office of the City Clerk

B. Zeinabova, City Clerk
E. Prior, Acting Deputy City Clerk

INTER-OFFICE MEMORANDUM

TO: CHAIR AND MEMBERS DATE: 2020 DECEMBER 08
PARKS, RECREATION AND CULTURE
COMMISSION

FROM: ADMINISTRATIVE OFFICER FILE: 2410-20

SUBJECT: MARLBOROUGH NEIGHBOURHOOD PARK SITE
(ITEM 4.4., REPORTS, COUNCIL MEETING 2020 DECEMBER 07)

Burnaby City Council, at the Open Council meeting held on 2020 December 07, received the above noted report and adopted the following recommendations contained therein:

1. THAT Council authorize the City Solicitor to bring forward a Capital Reserve Fund Transfer Bylaw in the amount of \$6,178,429 to finance the acquisition of the Marlborough Neighborhood Park site from the Metrotown Open Space Development Cost Charge Reserve Fund, as outlined in Section 4.0 of the report.
2. THAT Council authorize staff to initiate the necessary subdivision consolidation and rezoning of areas of Marlborough Elementary School and neighborhood park site to the Park and Public Use District (P3), as outlined in Section 5.0 of the report.
3. THAT a copy of this report be sent to the Planning and Development Committee and Parks, Recreation and Cultural Commission for information purposes.

As directed, a copy of the report is attached for your information.


Monica Macdonald
Administrative Officer

Our Vision: A world-class city committed to creating and sustaining the best quality of life for our entire community.

FINANCIAL MANAGEMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

SUBJECT: MARLBOROUGH NEIGHBOURHOOD PARK SITE

RECOMMENDATIONS:

1. THAT Council authorize the City Solicitor to bring forward a Capital Reserve Fund Transfer Bylaw in the amount of \$6,178,429 to finance the acquisition of the Marlborough Neighbourhood Park site from the Metrotown Open Space Development Cost Charge Reserve Fund, as outlined in Section 4.0 of the report.
2. THAT Council authorize staff to initiate the necessary subdivision consolidation and rezoning of areas of Marlborough Elementary School and neighbourhood park site to the Park and Public Use District (P3), as outlined in Section 5.0 of the report.
3. THAT a copy of this report be sent to the Planning and Development Committee and Parks, Recreation and Cultural Commission for information purposes.

REPORT

The Financial Management Committee, at its meeting held on 2020 November 18, received and adopted the attached report seeking authorization for completion of the assembly of the Marlborough Neighbourhood Park site in Metrotown, as well as a Capital Reserve Fund Transfer Bylaw to finance the assembly. The Bylaw appears elsewhere on the Council agenda.

Respectfully submitted,

Mayor M. Hurley
Chair

Councillor S. Dhaliwal
Vice Chair

Copied to:	City Manager
	Director Finance
	Director Planning and Building
	Director Corporate Services
	Director Engineering
	Director Parks, Recreation & Cultural Services
	City Solicitor

TO: CHAIR AND MEMBERS
FINANCIAL MANAGEMENT COMMITTEE **DATE:** 2020 November 10

FROM: DIRECTOR PLANNING AND BUILDING
DIRECTOR FINANCE **FILE:** SUB #16-56
Reference: Marlborough Park Site

SUBJECT: MARLBOROUGH NEIGHBOURHOOD PARK SITE

PURPOSE: To seek Council approval for completion of the assembly of the Marlborough Neighbourhood Park site in Metrotown and to request a Capital Reserve Fund Transfer Bylaw to finance the assembly.

RECOMMENDATIONS:

1. **THAT** the Financial Management Committee recommend Council authorize the City Solicitor to bring forward a Capital Reserve Fund Transfer Bylaw in the amount of \$6,178,429 to finance the acquisition of the Marlborough Neighbourhood Park site from the Metrotown Open Space Development Cost Charge Reserve Fund, as outlined in *Section 4.0* of this report.
2. **THAT** Council authorize staff to initiate the necessary subdivision consolidation and rezoning of areas of Marlborough Elementary School and neighbourhood park site to the Park and Public Use District (P3), as outlined in *Section 5.0* of this report.
3. **THAT** a copy of this report be sent to the Planning and Development Committee and Parks, Recreation and Cultural Commission for information purposes.

REPORT**1.0 BACKGROUND**

Through the Land Assembly and Development Program, the City initiated a land acquisition process to consolidate a new neighbourhood park site in Metrotown adjacent to the Marlborough Elementary School in 1977. This program included both the dedication of lands for road improvements and a comprehensive land exchange with the Burnaby School District to establish expanded sites for an elementary school and neighbourhood park that would serve the future needs of the community.

The completion of road improvements in 2016 has advanced this Land Assembly and Development project to allow the site's rezoning and subdivision/consolidation. The conclusion of these steps would provide for the advancement of the site to allow for its future development as a new park for Metrotown. This report seeks Council's authorization to provide for the financing of the parkland acquisition from the Metrotown Open Space Development Cost Charge (DCC) Reserve Fund; initiate

rezoning of the subject site to conform to the Metrotown Community Plan; and to transfer the park site to the Parks, Recreation and Cultural Services Department for ongoing administration and future park development.

2.0 POLICY SECTION

The proposed assembly and financing of this city-owned Marlborough Neighbourhood Park site 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
- **A Dynamic Community**
 - Community development – Manage change by balancing economic development with environmental protection and maintaining a sense of belonging

3.0 MARLBOROUGH NEIGHBOURHOOD PARK SITE

The vision for a combined Marlborough school/park site was initially identified in the 1977 Metrotown Plan report, which outlined a comprehensive plan for park and open space purposes for each of the town centre’s neighbourhoods. There were 8 residential lots identified adjacent to the existing Marlborough Elementary School that were approved for acquisition as part of this new neighbourhood park site (see *Sketch #1 attached*). This land use was reconfirmed as part of subsequent Community Plan reviews of Metrotown.

The Metrotown conceptual plan also provided a framework for the City’s transportation plan which designated Dover/Grange Street and Royal Oak Avenue for future capital investment as Secondary Arterials. In 1989, Council approved a plan for land acquisition and intersection improvements for Dover/Grange Streets and Royal Oak Avenue. This included approval for land acquisition for road purposes on a dedicated road right-of-way from all the public and private properties, including both the Marlborough Elementary School and the proposed future neighbourhood park site.

In order to facilitate the road improvements and required land acquisitions, a number of adjustments to both the neighbourhood park site and the Marlborough Elementary School site were approved by Council as part of the ‘Royal Oak Realignment Project’. In addition to finalized road designs, Council approved a comprehensive land exchange agreement with the Burnaby School District #41 to provide for a consolidated ‘area for area’ no cost land exchange that provided a consolidated area for the City’s intended park site comprised of eight legal lots and an unopened land right-of-way. The last privately-owned residential lot, required for the road project and the future park site was acquired by the City in 2009.

The Dover/Grange Street Upgrade Project was approved for construction and completed in 2016. The road works were designed to utilize the previously approved lands acquired for this purpose. As such, the Planning and Building Department has initiated a Subdivision Application to dedicate the required

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road rights-of-way and consolidate the remaining lots as part of the approved park site (see *Sketch #2 attached*).

With the completion of this civic works project, and the concurrent road dedication through subdivision, the consolidated park site can now be advanced for its transition to park use.

4.0 FINANCING

Financing for the acquisition of the site assembly for the park site and road improvements were undertaken and financed through the Land Assembly and Development Program. The completion of the financial administration for the project requires further approvals relating to reimbursement of the Land Assembly and Development Program from the City's existing Metrotown Open Space DCC Reserve Fund. As a result, a Capital Reserve Fund Transfer Bylaw is required to transfer funds from one reserve fund to another reserve fund.

4.1 Metrotown Open Space Reserve Fund

In 1979, Council adopted the "Metrotown Public Open Space Charge" (Bylaw 7328). This DCC was applied to all commercial developments within the Metrotown community plan area. The intent of the DCC was to assist the City in financing the acquisition and consolidation of lands in the town centre for an expanded public open space system with public pedestrian linkages and park spaces. The need for additional park and public spaces within the City's designated 'Regional City Centre' provided the opportunity to utilize the special funding mechanisms related to DCCs provided by the *Local Government Act* to finance these amenities through the growth of Metrotown over time.

The acquisition of the Marlborough Neighbourhood Park Site was envisioned and advanced as one of several new public open spaces for Metrotown intended to be funded by the Metrotown Open Space Reserve. The public open space system had identified the site both as a neighbourhood park space to serve the needs of the Marlborough area and to form part of the planned pedestrian network to connect the town centre with the natural, recreational and cultural amenities of Deer Lake Park. These planning principles for the use of these civic lands have been confirmed through the adopted "Metrotown Downtown Plan". The development of the Dover Street and Royal Oak Avenue road improvements have incorporated both pedestrian and cycling facilities to serve the needs of Metrotown residents and provide better connections between the City's urban centre and Deer Lake Park, located north-east of the subject park site.

4.2 Land Assembly and Development Reserve Fund – Financing Repayment

The Land Assembly and Development Reserve Fund supports the acquisition of land for a variety of civic and community development purposes. The intent of this reserve fund is to finance and secure real estate assets as they become available over time and then advance the sale/transfer of these municipal lands at market value. All financial proceeds from any municipal land transfers are returned to the Land Assembly and Development Reserve Fund to support future civic land acquisition and development.

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The subject park site was initially acquired utilizing funding from the Land Assembly and Development Reserve Fund, with the intent that the Metrotown Open Space DCC Reserve Fund would finance the land purchases for park purposes, once the planned road rights-of-way had been dedicated and the DCC reserve fund had increased sufficiently to provide the necessary funding. It is noted that the cost of acquiring the lands for the future dedicated road rights-of-way have been financed separately and exclusively through the Land Assembly and Development Reserve Fund.

The lands that comprise the Marlborough Neighbourhood Park Site have been assembled primarily through the acquisition of privately-owned residential properties and closure of a redundant lane right-of-way in the amount of \$1,962,817. It is noted that a portion of the existing site, which is currently zoned Park and Public Use District (P3), was acquired from the Burnaby School District in exchange for an equal area of civic lands previously acquired from private land owners at market residential values.

Section 189 (4) of the *Community Charter* states:

A transfer from a reserve fund established for a capital purpose may only be made to another reserve fund established for a capital purpose.

(4.1) Despite any other enactment, if

- (a) money in a reserve fund established for a capital purpose, including a reserve fund under section 566 of the Local Government Act established for a capital purpose, is not currently required for that purpose, and*
- (b) the municipality has another reserve fund established for a capital purpose,*

the municipality may use money in the first reserve fund for the purposes of the second reserve fund.

(4.2) If money from one reserve fund is used under subsection (4.1) for the purposes of another reserve fund, the municipality must repay to the first reserve fund, no later than the time when the money is needed for the purposes of that reserve fund,

- (a) the amount used, and*
- (b) an amount equivalent to the interest that would have been earned on the amount used had it remained in the first reserve fund.*

As a result, in accordance with the *Community Charter*, it is staff's recommendation that the Metrotown Open Space Reserve Fund finance the acquisition of the subject park site and that the Land Assembly and Development Reserve Fund be repaid in full including interest in the amount of \$6,178,429.

The acquisition of the Marlborough Neighbourhood Park Site would be the first expenditure under the Metrotown Open Spaces DCC Reserve Fund since its establishment in 1979.

These expenditures are included in the 2020 – 2024 Financial Plan and sufficient Metrotown Open Space DCC Reserve funds are available to finance the project.

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5.0 REZONING

The Marlborough Neighbourhood Park Site and portions of the adjacent site of the Marlborough Elementary School are currently zoned both Residential District (R4) and Park and Public Use District (P3) (see *Sketch #2 attached*). As previously stated, the Metrotown Downtown Plan has designated both the park and school sites as part of the public open space system to be zoned under the Park and Public Use District. The land exchange agreement with the Burnaby School District also identified the need for the City to initiate a comprehensive rezoning of the lands upon completion of the required land acquisitions and consolidation of the park site.


It is recommended that a City-initiated subdivision/consolidation and rezoning of the subject park and adjacent Marlborough Elementary School site be advanced, with the cooperation of the Burnaby School District, to bring the lands in conformance with the Official Community Plan.

6.0 RECOMMENDATIONS

It is recommended that Financial Management Committee recommend Council authorize the City Solicitor to bring forward a Capital Reserve Fund Transfer Bylaw in the amount of \$6,178,429 to finance the acquisition of the Marlborough Neighbourhood Park site from the Metrotown Open Space Development Cost Charge Reserve Fund, as outlined this report.

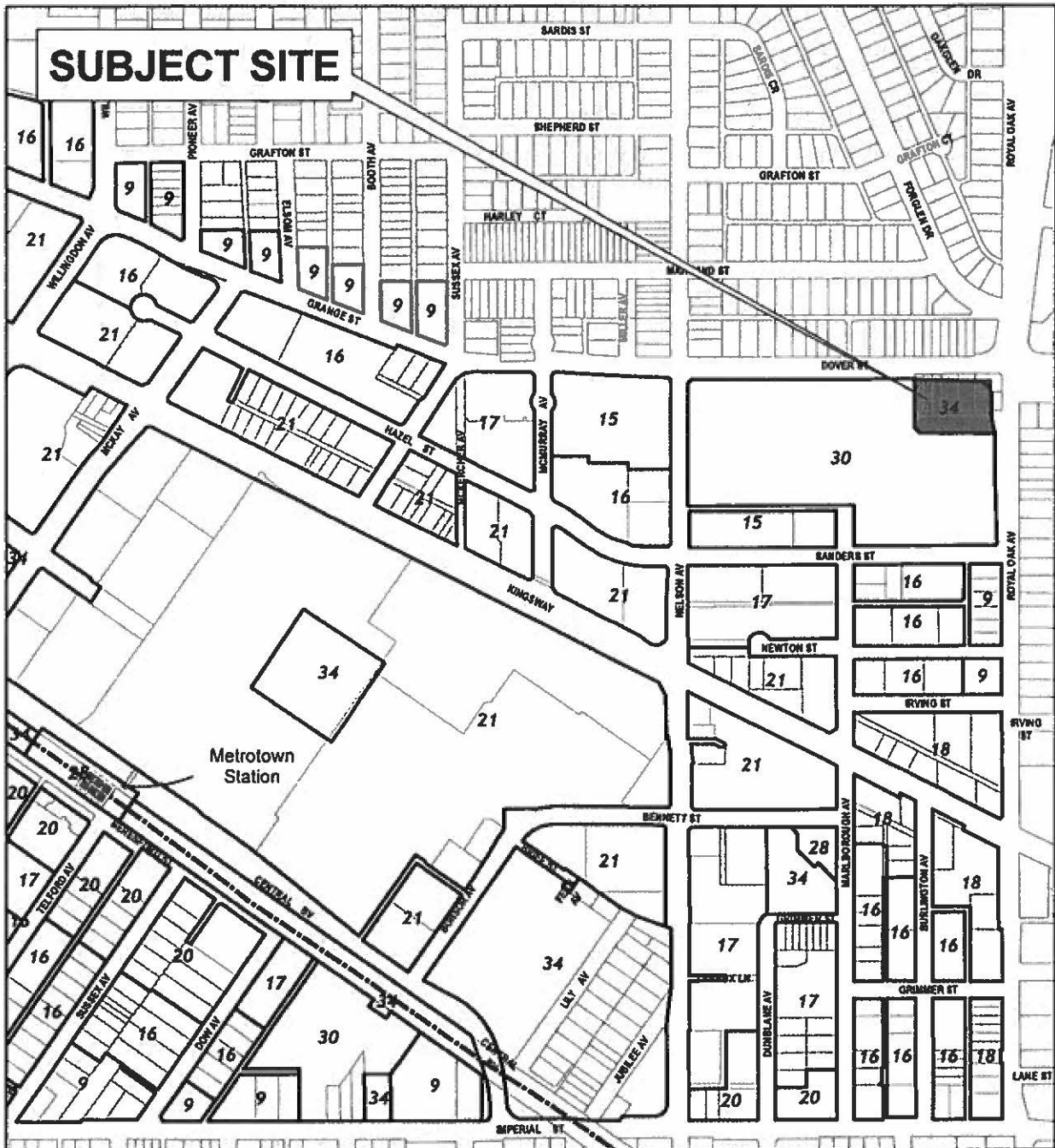
It is recommended that Council authorize staff to initiate the necessary subdivision consolidation and rezoning of areas of Marlborough Elementary School and neighbourhood park site to the Park and Public Use District (P3). This will include the transfer of the park site to the management of the Parks, Recreation and Cultural Services Department for ongoing design and development for parks purposes.


E. W. Kozak, Director
PLANNING AND BUILDING


Noreen Kassam, CPA, CGA
DIRECTOR FINANCE

JW:sa
Attachments

cc: City Manager
Director Engineering
Director Parks, Recreation and Cultural Services
City Solicitor

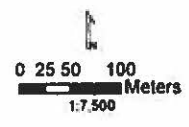


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| 9 Medium Density Residential (RM3s) | 20 High Density Mixed Use (RM5s/C2) |
| 15 High Density Residential (RM5) | 21 High Density Mixed Use (RM5s/C3) |
| 16 High Density Residential (RM4s) | 28 Institutional |
| 17 High Density Residential (RM5s) | 30 Public School (P3) |
| 18 High Density Mixed Use (RM4s/C2) | 34 Park and Public Use (P3) |
| 19 High Density Mixed Use (RM4s/C3) | |



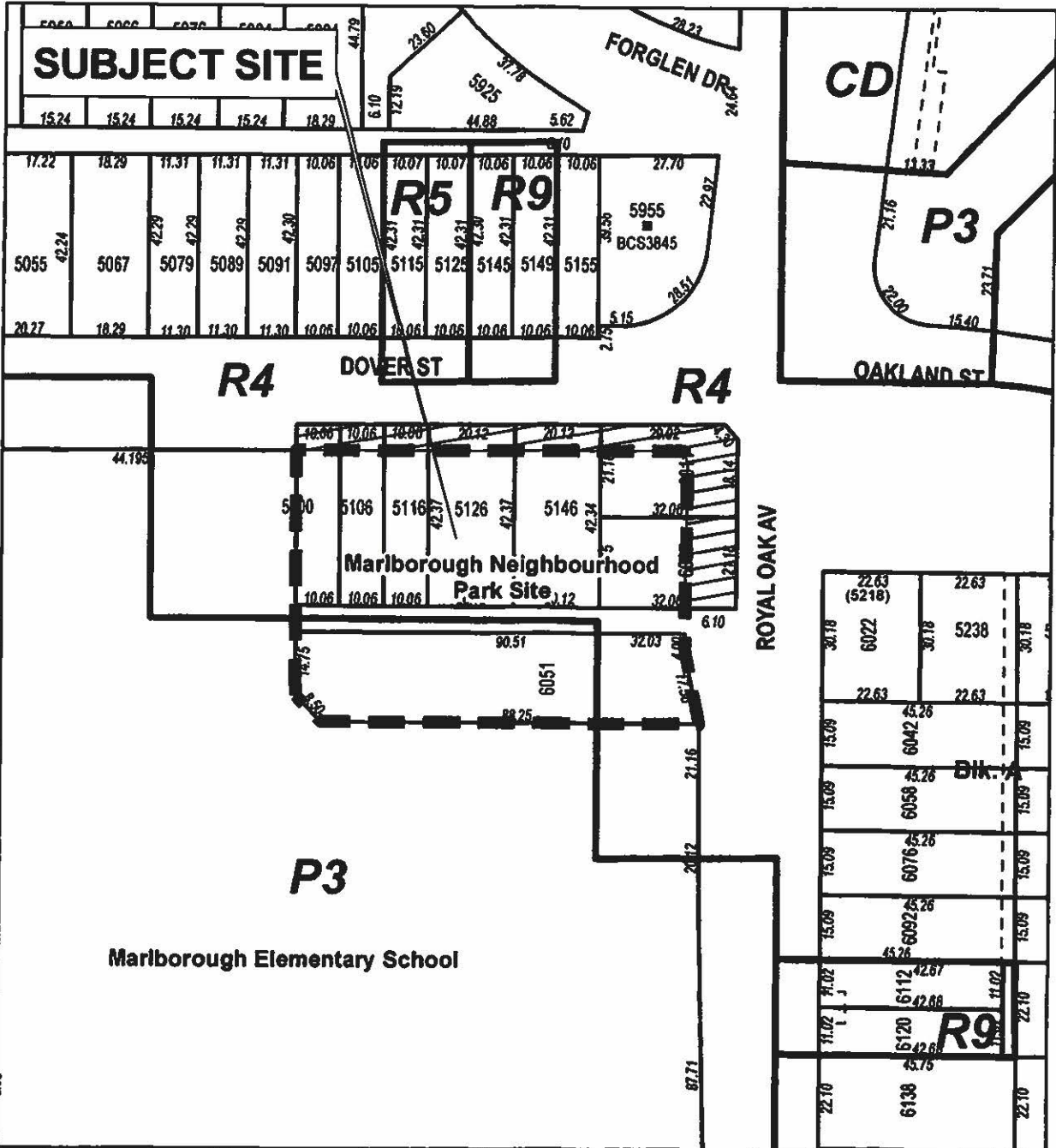
Planning and Building Dept


Metrotown Plan





Printed on July 30, 2017

Sketch #1




City of Burnaby
 Date: JUL 30 2017
 scale: 1:1,500
 Drawn By: AY

PLANNING & BUILDING DEPARTMENT
Marlborough Neighbourhood Park Site
 Subdivision Reference #16-56
 Subject Site
 Dover/Grange Street Upgrade Project:
 City Lands dedicated for road works