

RE: LEASE OF MUNICIPAL LANDS IN THE BURNABY LAKE SPORTS COMPLEX
DEVELOPMENT PLAN AREA
(ITEM 9, REPORT NO. 67, 1983 NOVEMBER 07)

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Planning & Building Inspection be adopted.

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TO: MUNICIPAL MANAGER 1984 FEBRUARY 28

FROM: DIRECTOR PLANNING & BUILDING INSPECTION OUR FILE: 10.332.6

SUBJECT: LEASE OF MUNICIPAL LANDS IN THE BURNABY LAKE SPORTS COMPLEX DEVELOPMENT PLAN AREA

RECOMMENDATION:

1. THAT Council authorize the Legal Department to advertise Municipal land for lease based upon the terms outlined in the attached information package.

REPORT

On 1983 October 28 Council authorized the Legal and Planning & Building Inspection Departments to prepare a Public Tender Document for the lease of Municipal lands in the Burnaby Lake Sports Complex area on the understanding that a further report to Council was to be made upon preparation of the tender. This tender package has now been prepared and is attached for Council's reference.

A proposed annual lease rate of \$125,000 plus taxes is recommended to be renegotiated at no more than every five years of a 25 year lease term. This is based initially upon a 5% return on land estimated to be worth \$2.5 million.

The report (1983 November 07) presented to Council previously included a statement in Section 4.3 which stated that the two privately-owned lots at the southwest corner of the site are to be acquired by the developer at no cost to the Municipality and consolidated into the development site. It is necessary to retain this requirement to consolidate the two lots, however it is the Municipal Solicitor's recommendation that a credit of \$275,000.00 (approximately \$25.00 per sq. ft.) be granted towards the lease payments in recognition of the transfer of the lots to the Municipality. It is the Solicitor's view that this approach is warranted for marketing purposes and that a higher than market land value for the two lots supports a higher lease rate for the overall site. The Solicitor estimates that the Municipality would have to pay not more than \$225,000.00 if we were to purchase the lots as a part of our normal land assembly practice. The text of Section 6.0 of the lease proposal reflects a credit of \$275,000.00.

LEASE OF MUNICIPAL LANDS IN THE
BURNABY LAKE SPORTS COMPLEX
DEVELOPMENT PLAN AREA
1984 FEBRUARY 28 PAGE TWO

A second adjustment is that in the 1983 November 07 report a site size of 5.2 ha (12.85 acres) was proposed. Due to site requirements for parking, buffering and landscaping an enlarged site of 6.13 ha (15.17 acres) is now proposed. This is accomplished by extending the northern boundary of the site.

Upon Council approval of the advertisement it is proposed that it be placed in the Vancouver Sun newspaper, allowing until 16:00 h, 1984 March 23 for responses. Following this, the submissions will be reviewed and evaluated and a report will be submitted to Council describing the results of the proposal and making a recommendation.

BR/g1

Att: Proposal Call Information
Proposed Advertisement

cc: Director Engineering
Director Recreation & Cultural Services
Municipal Solicitor
Greater Vancouver Sewerage & Drainage District



A. L. Parr,
DIRECTOR PLANNING &
BUILDING INSPECTION

1984 February 28

CORPORATION OF THE DISTRICT OF BURNABY

LAND LEASE PROPOSAL

BURNABY LAKE SPORTS COMPLEX AREA

1.0 PERMITTED LAND USE:

The uses permitted on this development site are to be in keeping with general guidelines in the Burnaby Lake Sports Complex Development Plan Concept (1976). The uses are to be physical recreational activities exclusively. Specific uses to be included are a wave pool at least 1,500 m², children's pool, hot pools, waterslides, sunbathing area, volleyball, badminton, basketball, racketball and deck tennis courts, facilities for weight training, horseshoes, checkers, a small soccer field, an all season enclosed aerobic exercise building, a picnic area, plus a berm with jogging and roller skating tracks around the perimeter. Limited food services are to be permitted to service the users of the site.

These uses are to be designed and constructed in an integrated manner which reflects the natural park-like environment in the Central Valley.

2.0 SITE INFORMATION:

- 2.1 Site Dimensions: 171 m (560 ft.) by 365 m (1200 ft.).
- 2.2 Area: 6.24 ha (15.42 acres) (Including two privately owned lots.)
- 2.3 Location: The site lies north of Laurel Street and east of Ardingley Avenue.
- 2.3 Legal Description: Refer to attached sheet.
Note: It will be necessary for the lease applicant to consolidate the lease site.
- 2.4 Existing Zoning: M2 (General Industrial District)
Proposed Zoning: CD (Comprehensive Development District).
- 2.5 Ownership:

The majority of the site is owned by the Municipality. It is a condition of this lease proposal that the two privately owned lots be deeded to the Municipality for consolidation in the lease site with credit to be given towards the lease. There are a number of undeveloped road and lane allowances on the site. These redundant rights-of-way will be abandoned and consolidated in the lease site. There is an 6.1 m (20 ft.) easement which runs diagonally across the site in favour of the Greater Vancouver Sewerage and Drainage District.

2.6 Land Use in the Area:

The lease site is partially developed with 5 existing dwellings. The remainder of the site is vacant with mixed vegetation. The lands to the west of the lease site are occupied by industrial uses and vacant land. The lands to the

east and north are vacant while there is a mixture of residences and vacant land to the south. The surrounding vacant and residential lands are to be redeveloped in the future for sports/recreational uses as generally outlined in the attached sketch (figure 1).

2.7 Site Observations:

The site slopes gradually down from a high point at the intersection of Laurel Street and Ardingley Avenue. Approximately one quarter of the site is upland soil while approximately three quarters of the site is lowland peat soils. The District of Burnaby has not conducted soil tests on this site and makes no statement about the bearing abilities of the ground. There is mixed deciduous vegetation and some open water areas on the site.

3.0 ACCESS AND SERVICING OF THE DEVELOPMENT SITE:

It will be necessary to provide vehicular access to the site from Ardingley Avenue. No additional roads or access to the site will be permitted and the construction of any access to Kensington Avenue will not be permitted, now or in the future.

In terms of servicing the parcel with roads, completion of the abutting portion of Ardingley and an extension southward to Norland Avenue will be required to be done in the following manner by the lessee:

- that portion abutting the site (approximately 1,200 feet) - to full finished 46 foot standard with curbs, lights, sidewalks and boulevards,
- that portion southward to the existing south end of the built portion of Ardingley - no work required - to remain interim standard pending further development on the adjoining lands,
- that portion required to connect Ardingley to Norland Avenue (approximately 600 feet) to be completed to a full finished 46 foot standard as above.
- the installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- the undergrounding of existing overhead wiring abutting the site.
- demolition of existing structures and all site preparation.

The Director Engineering has prepared a preliminary estimate of value of the Engineering street works required to be constructed by the developer of \$667,000. This preliminary estimate is not based upon engineering design drawings.

4.0 REZONING:

The site is to be rezoned from M2 (General Industrial District) to CD (Comprehensive Development District). The successful lessee will be required to make application for rezoning and satisfy all of the prerequisites to this procedure including the presentation

of a suitable plan of development at a Public Hearing. The rezoning fee payable for this site is \$3,660 and will be the responsibility of the applicant. Completion of the rezoning, Preliminary Plan Approval and Building Permission are required prior to the commencement of construction of the site. Site preparation may be commenced following Preliminary Plan Approval.

5.0 LANDSCAPE DESIGN QUALITY:

High standards of design will be required in the development of this site in keeping with the park-like nature of the area. Specific guidelines for the design include:

- continuous perimeter landscape berm and screening to prevent the view of shelters, tower elements or other structures from adjacent streets. A 40 foot wide landscaped buffer is to be provided between the parking lot or the street in which no structures will be built, on the Ardingley and Laurel Street frontages.
- building designs are to be appropriate for a park-like setting utilizing natural wood wherever possible.
- natural tone colours for all buildings and structures are to be used.
- a detailed landscape plan is required to express the park-like nature of the area and to screen the perimeter and illustrate items such as the preservation of the large stand of deciduous trees which runs eastwest roughly across the middle of the site and other significant trees in the lowland area of the site.
- fences and mechanical equipment are to be concealed with landscaping, and no electrical or other wiring will be above ground.
- a comprehensive sign plan will be required for the site and no high profile or off-site signs will be permitted.
- prior to the Public Hearing to rezone the lands involved a suitable plan of development will be required and additional prerequisites to the rezoning not itemized on this list may be required as a condition to the rezoning.
- a minimum of 450 parking spaces are to be provided and are to be constructed and finished and landscaped to an acceptable standard.

6.0 TERMS OF THE LEASE:

- The upset price per annum is \$125,000 payable in advance, renegotiated not more than every five years, of a twenty-five year lease.
- The successful bidder is required to purchase the two private lots within the site and provide a letter of guarantee stating that the lots will be conveyed to the Municipality for consolidation of the site. A credit of \$275,000 will be granted towards the lease payments for these properties.
- The applicant will be required to fulfill all the other requirements outlined in this proposal document.

- The applicant will be required to meet all the requirements of rezoning and subdivision pertaining to the development of the site, as well as all other subdivision, Land Title, licence and permit fees.
- In addition to the lease rate, the lessee is to pay all Municipal taxes on the land annually.
- At the end of the lease term all improvements on the site will revert to the Municipality.

7.0 PERFORMANCE GUARANTEE:

The following assurances will be required to be provided to run for the length of the lease agreement:

- specific, mutually agreeable lease clauses to ensure completed installation of all the facilities shown on the Comprehensive Development plan prior to the issuance of a business licence to operate the facility.
- an on-going clause in the lease requiring the operator to maintain all the facilities to properly functioning standards and to a high level of maintenance standards at all times, to a standard not inferior to Municipal facilities in the area.
- provision to be made for cancellation of the lease should all conditions not be fulfilled and maintained.
- posting of a Letter of Credit or cash bond of \$200,000 to ensure the completion of all facilities and landscaping in addition to the necessary Letter of Credit for the Engineering works.
- posting of a Letter of Credit plus a 4% cash Inspection Fee to ensure the completion of all the Engineering Works required to service the site.

8.0 POINTS TO NOTE:

In the process of preparing the site for development it will be the lessee's responsibility to obtain all the required approvals to prepare the site for development. These approvals may include matters not under the jurisdiction of the District of Burnaby, for example:

- approval of the Ministry of Transportation and Highways (B.C.) to the rezoning.
- approval of the Ministry of the Environment (B.C.) for the management of site run-off.
- approval of the Greater Vancouver Sewerage and Drainage District for development affecting their easement area.
- approvals of the Health Ministry (Municipal and Provincial) for water contact activities.

In addition to these points the lessee may be required to obtain all other approvals from the District of Burnaby or other agencies as required in the servicing and development of the site.

9.0 LAND LEASE PROPOSAL CALL PROCEDURE:

- 9.1 The closing date for bids is 16:00 h, 1984 March 23 and are to be delivered to the Municipal Solicitor, Corporation of the District of Burnaby, 4949 Canada Way, Burnaby, B.C., V5G 1M2.
- 9.2 The submissions will be reviewed and evaluated. A report will be submitted to the Municipal Council describing the proposals. The Corporation of the District of Burnaby reserves the right to refuse any or all proposals.
- 9.3 The applicant selected shall immediately deposit with the Corporation the sum of \$25,000 which shall be forfeited as estimated liquidated damages and not as a penalty if the applicant fails to proceed with the lease agreement and rezoning application for the land. If not forfeited, the said sum of \$25,000 shall be applied to the first year lease payment.

10.0 REQUIREMENTS OF PROPOSAL CALL SUBMISSIONS:

Each submission in response to the proposal call shall include the following:

- a) Preliminary architectural concept sketch of the development proposal and a written list of uses and activities contained in the development proposal and the related development statistics.
- b) Identification of the project team (architect, landscape architect, engineers, development company, etc.) including information on the firms' experience and pertinent projects.
- c) Proposed construction schedule and proposed date for commencement of the lease.
- d) Proof of financial ability to undertake the proposed development and an indication of the developer's experience in the field of recreational development.
- e) A proposed lease rate for each year of the first five year term, to be not less than \$125,000 per annum.
- f) A certified copy of the title to (or an option to purchase) the two private lots in the development site area, with a letter of undertaking to convey title to the lots to the Municipality.
- g) A letter indicating acceptance of responsibility for all the terms and conditions outlined in this document.
- h) A statement of an intention to make application to rezone the subject site to Comprehensive Development District (CD) if selected.
- i) Payment of a Rezoning Application fee of \$3,660.00.

BR/gl

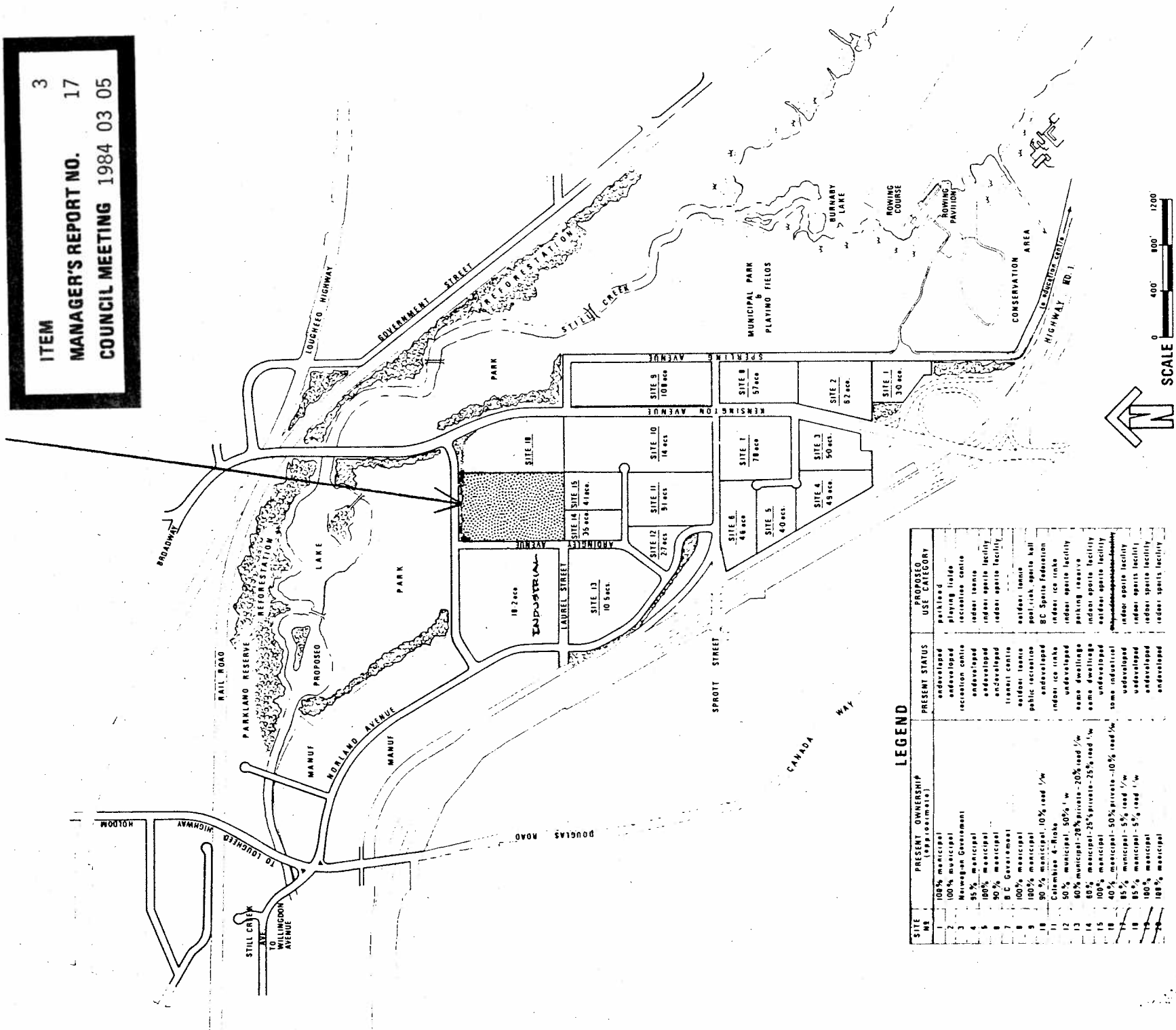
Att: Location Sketch

SITE PROPOSED FOR LEASE

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360m by 171m= 6.13ha (15.42 ac.)

ITEM 3
 MANAGER'S REPORT NO. 17
 COUNCIL MEETING 1984 03 05



LEGEND

SITE NO	PRESENT OWNERSHIP (app/priv/muni)	PRESENT STATUS	PROPOSED USE CATEGORY
1	100% municipal	undeveloped	parkland
2	100% municipal	undeveloped	playing fields
3	Metropolitan Government	recreation centre	recreation centre
4	55% municipal	undeveloped	recrea tennis
5	100% municipal	undeveloped	recrea tennis facility
6	90% municipal	undeveloped	recrea tennis facility
7	B.C. Government	recreation centre	recrea tennis
8	100% municipal	recrea tennis	recrea tennis
9	100% municipal	public recreation	public rec, sports hall
10	90% municipal, 10% road 1/2w	undeveloped	BC Sports Federation
11	Columbia & Howe	undeveloped	recrea ice tracks
12	50% municipal, 50% 1/w	undeveloped	parking
13	60% municipal, 20% private, 20% road 1/2w	undeveloped	recrea tennis facility
14	60% municipal, 25% private, 25% road 1/2w	undeveloped	parking
15	100% municipal	undeveloped	recrea tennis facility
16	40% municipal, 50% private, 10% road 1/2w	undeveloped	recrea tennis facility
17	85% municipal, 5% road 1/2w	undeveloped	recrea tennis facility
18	85% municipal, 5% road 1/2w	undeveloped	recrea tennis facility
19	100% municipal	undeveloped	recrea tennis facility
20	100% municipal	undeveloped	recrea tennis facility

PROPOSED LAND USE AND SUBDIVISIONS

Extract from:

Burnaby Lake Sports Complex Development Plan
 Approved by Council 1976.

SCHEDULE "A"

1983 July 13

6499 Darnley (Part of)	Lot 2, D.L. 77, Plan 3051
6406 " "	Lot 1, Blk. 3, D.L. 77, Plan 3051
6414 " "	Lot 2, " "
6422 " "	Lot 3, " "
6428 " "	Lot 4, " "
6436 " "	Lot 5, " "
6442 " "	Lot 6, " "
6450 " "	Lot 7, " "
6456 " "	Lot 8, " "
6464 " "	Lot 9, " "
6470 " "	Lot 10, " "
6478 " "	Lot 11, " "
6486 " "	Lot 12, " "
6494 " "	Lot 13, " "
6506 " "	Lot 14, " "
6514 " "	Lot 15, " "
6522 " "	Lot 16, " "
6528 " "	Lot 17, " "

6421 Hyde	Lot 50, Blk. 3, D.L. 77, Plan 3051
6427 " "	Lot 49, " "
6435 " "	Lot 48, " "
6441 " "	Lot 47, " "
6449 " "	Lot 46, " "
6455 " "	Lot 45, " "
6463 " "	Lot 44, " "
6469 " "	Lot 43, " "
6477 " "	Lot 42, " "
6485 " "	Lot 41, " "
6493 " "	Lot 40, " "
6505 " "	Lot 39, " "
6513 " "	Lot 38, " "
6521 " "	Lot 37, " "
6527 " "	Lot 36, " "
6422 " "	55 Ex S 6.5'
6428 " "	56 Ex S 6.5'
6436 " "	57 Ex S 6.5'
6442 " "	58 Ex S 6.5'
6450 " "	Lot 59, " "
6456 " "	Lot 60, " "
6464 " "	Lot 61, " "
6470 " "	Lot 62, " "
6478 " "	Lot 63, " "
6486 " "	Lot 64, " "
6494 " "	Lot 65, " "
6506 " "	Lot 66, " "
6514 " "	Lot 67, " "
6522 " "	Lot 68, " "
6528 " "	Lot 69, " "

6433 Laurel	Lot E, Blk. 3, D.L. 77, Plan 13680
6441 " "	Lot F, " "
6455 " "	Lot G, " Plan 3051
6469 " "	Lot 95, " "
6477 " "	Lot 94, " "
6485 " "	Lot 93, " "
6493 " "	Lot 92, " "
6505 " "	Lot 91, " "
6513 " "	Lot 90, " "
6521 " "	Lot 89, " "
6527 " "	Lot 88, " "

3286 Ardingley	Lot 51 & 52, Blk. 3, D.L. 77, Plan 3051
3332 " "	Lot 53 & 54, " "
3362 " "	Lot C, Blk. 3, D.L. 77, Plan 3354
3388 " "	Lot D, " "

(1724) 6499 Non Street

Portion of Lot 5, D.L. 77, Plan 3051

NEWSPAPER ADVERTISEMENT

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(LOGO)

LAND LEASE PROPOSAL CALL
BURNABY, BRITISH COLUMBIA

Recreation land within the Burnaby Lake Sports Complex comprising of approximately 6.24 ha (15.42 acres) located north of Laurel Street and east of Ardingley Avenue.

Terms/Conditions

1. Upset price, \$125,000 per annum payable in advance and renegotiated every five years, of a 25 year lease term.
2. The successful bidder will be required to purchase adjoining lands for consolidation.
3. The developer will be required to service the site to full Municipal standards.
4. The bid must be accompanied by a letter acknowledging all the requirements in the tender call information package.

For further information please contact:

The Corporation of the District of Burnaby,
Planning & Building Inspection Dept.,
4949 Canada Way,
Burnaby, B.C.,
V5G 1M2
Telephone: 294-7400

Closing date for bids 1984 March 23 at 16:00 h.

Ad to be inserted in business section :

Vancouver Sun