

Maple Ridge Industrial Municipal Reserve Removal

Recommendation

1. That the removal of the municipal reserve designation from the lands legally described as Lot 2MR, Block 1, Plan 8720540, as shown in Attachment 1 of the January 26, 2021, Financial and Corporate Services report FCS00163, be approved.
2. That a designated officer within Administration notify the Registrar of the Northern Alberta Land Titles Office that the provisions of the Municipal Government Act, R.S.A. 2000, c. M-26 have been complied with and request the Registrar to remove the designation of municipal reserve from lands legally described as Lot 2MR, Block 1, Plan 8720540, as shown in Attachment 1 of the January 26, 2021, Financial and Corporate Services report FCS00163.

Purpose

To facilitate the expansion of the City-owned and operated South Haven Cemetery by removing the municipal reserve designation from a parcel of land, legally described as Lot 2MR, Block 1, Plan 8720540.

Upon removal of the municipal reserve designation from the parcel of land, the City will proceed with the registration of an approved subdivision in the adjacent cemetery lot legally described as Lot 1, Block 1, Plan 8720540, which will create two separately titled lots. One of the two new lots will become an MR lot as compensation for the Lot 2MR removal. The new municipal reserve lot will provide public access to open space for passive recreation uses.

Advertising and Signage

As per requirements of the *Municipal Government Act*, Section 674, regarding the removal of reserve land designations, the reserve designation removal notice was advertised in the Edmonton Journal on January 8 and January 16, 2021, and a sign was posted on the site.

Position of Administration

Administration supports this resolution.

Report

The lot within which the City of Edmonton-owned and operated South Haven Cemetery is located, legally described as Lot 1, Block 1, Plan 8720540, was subdivided in the 1980s. As part of the subdivision, 10 percent of the subdivision area was designated municipal reserve. The corresponding municipal reserve parcel, legally described as Lot 2MR, Block 1, Plan 8720540 (Attachment 1), was identified as Park / Open Space in the Maple Ridge Industrial Area Structure Plan, but was never developed as such.

Phase 1 implementation of the South Haven Cemetery Master Plan is currently underway and includes development of Lot 2MR, which is located within the boundary of the cemetery at the northeast corner. Lands with reserve designations cannot be developed for uses other than recreation or school uses, unless the designation is removed with a decision of City Council.

The entirety of Lot 2MR is required for implementation of the South Haven Cemetery Phase 1 Development Plan, which requires the municipal reserve designation to be removed from the lot, as illustrated in Attachment 2. Per City Policy *C468A Policy to Govern the Use of Funds from the Sale of Surplus School Sites*, removal of the municipal reserve designation requires either payment of market value of the land into the Funds in Lieu of Reserve account, or value-for-value internal transfer of the municipal reserve designation to another parcel within the Area Structure Plan area. Administration is recommending a transfer of the municipal reserve designation as a means to reduce financial impact while retaining an equivalent amount of parkland within the Plan area.

A subdivision application has been submitted to create a new lot of equal size to Lot 2MR within the area currently identified as Lot 1, as shown in Attachment 3. Upon removal of the municipal reserve designation from Lot 2MR, the City will proceed with registration of the approved subdivision, which will create the new municipal reserve lot shown in Attachment 3. This process of adding the municipal reserve designation through subdivision satisfies the value-for-value internal transfer of the municipal reserve designation that was required to implement Phase 1 of the South Haven Cemetery Master Plan. The new municipal reserve lot will be publicly accessible via South Haven Cemetery and be developed with walking trails and benches for passive recreation uses.

Budget/Financial

The internal value-for-value internal transfer of the municipal reserve designation from Lot 2MR to the future municipal reserve lot will not require payment into the Funds in Lieu of Reserve Account. The cemetery expansion is funded by Capital Profile

CM-30-3030 Open Space: Planning and Design: Growth; and 20-30-9202 South Haven and Northern Lights Cemetery Expansion.

Legal Implications

The new municipal reserve lot must be used for municipal reserve purposes as per the requirements of the *Municipal Government Act*.

Public Engagement

A land development application, LDA20-0242, was submitted August 18, 2020 to amend the Maple Ridge Industrial Area Structure Plan to permit the cemetery to expand into Lot 2MR and rezone the lot to Urban Services (US) from the existing Public Park zone (AP). Landowners in the City of Edmonton and Strathcona County within 800 metres of the lot were notified of the application. As of December 30, 2020, no comments were received.

Attachments

1. Maple Ridge Industrial Municipal Reserve Removal Map
2. South Haven Cemetery Phase 1 Development Plan
3. Proposed Municipal Reserve Lot

Others Reviewing this Report

- R. Smyth, Deputy City Manager, Citizen Services
- S. McCabe, Deputy City Manager, Urban Form and Corporate Strategic Development
- B. Andriachuk, City Solicitor