



Gibsons Alliance of Business and Community Society

Box 1931, Gibsons BC V0N 1V0, Gibsons BC Canada, V0N 1V0 Tel 604-886-7565 gibsonsalliance@gmail.com

November 15, 2015

Peter Fassbender, Minister
Ministry of Community, Sport, and Cultural Development
P.O. Box 9056
Stn Prov Govt
Victoria, BC V8W 9E2

Re: Town of Gibsons Parks Acquisition Reserve Fund Transfer

Dear Minister Fassbender:

Gibsons Alliance of Business and Community (GABC) is a registered Society with a mandate to work together with citizens and other groups to educate, inform, and support both them and local leaders in making the best decisions possible on issues of public interest in Gibsons. We are concerned about a decision that the town council of Gibsons is making under the *Community Charter* Chapter 26 Part 6 – Financial Management.

Specifically, we object to the town's emptying the Parks Acquisition Reserve Fund and transferring the monies to a Capital Projects Reserve Fund in order to spend the vast majority of the money on a non-park project. We urge you to deny approval for Gibsons' council to do so as stipulated in s. 189 (5) of the *Charter*.

The fact is the funds are needed for parks projects in the town. Although on the surface Gibsons appears to have more green space than average in British Columbia, the statistics used are misleading. Most of the space is undeveloped land, some of it ravines and steep slopes, or unprotected "civic space" eligible for future development. It is not dedicated park land per se and is not suitable for children's playgrounds or elders' activity areas.

Not only is Gibsons not overly endowed with parkland now, but also there is insufficient park land for a growing future. Gibsons has gone from 90% single-family residences to 60% multi-family residences in recent years, all with no nearby park areas. As this densification occurs, the need for safe, accessible park space has grown. Many of those moving into the new multi-family buildings are seniors, a large and growing demographic in Gibsons. Yet nowhere does the town have pickle ball courts, seniors exercise trails, lawn bowling, chess tables, bocce ball, or other activity areas seniors tend to use. Facilities and play areas for children in newly developed neighbourhoods are also non-existent. Park land is immediately required in those neighbourhoods.

The town's Official Community Plan (OCP) section 7.1 Park Standards / General Park Policies directly states that "the 2010 Town of Gibsons Parks Master Plan by Lees & Associates **outlines plans for future park development.**" Maps in Gibsons Official Community Plan show seven conceptual sites designated for neighbourhood parks as well as community park areas. Yet Mayor Wayne Rowe refused to acknowledge the Parks Master Plan when asked whether the town has considered it in relation to council's proposed bylaw enabling the transfer of money out of the Parks Acquisition Reserve Fund. In fact, none of council appear to have read, let alone considered, the plans for park development in the Town of Gibsons Parks Master Plan. Because these park land areas are on the books and they will require municipal money, transferring the needed monies out of the Parks Acquisition Reserve Fund is shortsighted.

It is also notable, and we find it unusual, that the Director of Parks and Recreation does not appear to have been consulted on this plan to give away parks money. No report from the director was presented at council, as is the usual practice.

The Parks Acquisition Reserve Fund has been accumulating since 1989 and has now reached \$338,000, 30% of that in the last two or three years. It is past time a council spent these funds on what they were designated for. One park acquisition project in the Gospel Rock neighbourhood has been in the making for many years with trust funds set up this year to enable it. The groups driving this initiative hoped the town would contribute to this effort through the Parks Acquisition Reserve Fund. The town could work right now on the Gospel Rock park project, as just one example, if they used the Parks Acquisition Reserve Fund for the purposes for which it is intended.

Moreover, the few actual parks we do have need upgrades and more facilities. If ministerial permission is granted, it should be conditional upon the funds being used *only* for capital enhancements to existing parks (e.g., Armour's Beach, Steinbrunner Park, or beach access improvements). Better still might be the creation of a new, dedicated Parks Capital Projects fund. The town could then seek ministerial approval to transfer funds from the Parks Acquisition Reserve Fund to the Parks Capital Projects Fund as required. The town could and arguably should, right now, perform much needed enhancements to the few existing protected parks to make them more friendly to people. As just one example, the mayor has promised, at a council meeting in April 2015, that a plan for the future of Winegarden Waterfront Park would be developed, with public input.

Approval of the transfer of funds from the Parks Acquisition Reserve Fund to a Capital Projects Reserve fund could have unexpected and undesirable consequences, since no restrictions can be placed on them to ensure that they would be spent on parks-related projects. Since there exists no Parks Capital Projects Reserve fund, and it is not legal to approve moving funds into a fund being newly created to receive the money, there is no place to put the Parks Acquisition Reserve Fund monies that will guarantee its use for park-related capital projects. With no restrictions on which capital projects the money could be used for, and with the (unsubstantiated) notion that the Town is apparently cash-poor, the danger is that diverted Parks Acquisition Reserve Funds could end up paying for anything from sidewalks to sewers. Such use would clearly be a violation of the purpose for which the monies have been acquired—a violation of the public trust, since

developers large and small have willingly contributed cash-in-lieu-of-land believing their contributions would help acquire parkland for future community benefit.

Instead, the intent of the town's requested transfer of funds is to give \$275,000 to a non-profit organization, the Gibsons Public Market, for its expansion and construction project. Although we take no issue with the concept of a public market and agree a market could be an amenity for the town, it is, quite simply, not a park. In fact the building footprint takes up virtually the entire property with hard-surface parking lot around it. There is not even green space. Their fundraising group has been extraordinarily effective in raising millions of dollars, virtually all from the private sector. We think our Parks Acquisition Reserve Fund public monies are an inappropriate source. We hope that the town will not face another legal challenge because of the misguided decisions by this council. Mothers of young children with inadequate playground structures are unhappy; seniors are outraged. A straw poll in the local news weekly showed a majority of readers opposed to this transfer of money.

We respectfully request that you consider the factors we've outlined and deny approval of the Town of Gibsons' transfer of monies from the Parks Acquisition Reserve Fund to a Capital Projects Reserve Fund.

For further information, for example, *inter alia*, a breakdown of dedicated parkland area vs. civic lands vs. green space, please get in touch with us.

Yours sincerely,

The Board of Directors
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