

Re: Lower Mainland Regional Correctional Centre -  
Authority to Sign Agreement to Lease

The following is the report of the Planning Director dated June 12, 1975, regarding the above.

The Agreement has been approved by the Municipal Solicitor.

As noted in the report, the terms of the Agreement have been reached after several meetings with various provincial officials.

The joint liaison committee referred to in clause 7 is looked upon as a staff committee, but it goes without saying that the Parks and Recreation Commission and possibly Council must approve of the development work as far as Burnaby is concerned. The "initial development stage" is expected to be relatively short term (possibly 2 to 5 years) and during this period which includes the phasing out of operation of the Centre it is desirable to maintain close liaison with the provincial authorities.

RECOMMENDATIONS:

1. THAT Council authorize the execution of the attached Agreement to Lease between the Province and the District; and
2. THAT the additional municipal representatives to the joint liaison committee be appointed by the Planning Director and the Parks and Recreation Administrator respectively; and
3. THAT the Parks and Recreation Commission be asked to administer and accept responsibility for the lands in question; and
4. THAT the initial development stage as approved by the joint liaison committee be referred to the Parks and Recreation Commission for approval, and once approved, be referred to the Municipal Council for review; and
5. THAT a copy of this report be forwarded to the Parks and Recreation Commission.

\* \* \* \* \*

June 12, 1975  
Our File #10.470

TO: MUNICIPAL MANAGER  
FROM: DIRECTOR OF PLANNING

SUBJECT: LOWER MAINLAND REGIONAL CORRECTIONAL CENTRE -  
AUTHORITY TO SIGN AGREEMENT TO LEASE.

BACKGROUND

Further to the Provincial government's announcement to terminate the operation of the Lower Mainland Regional Correctional Centre and lease part of the property to the Municipality for park purposes, Council, at its meeting of January 28, 1974, adopted the recommendations contained within a Planning Department report entitled Deer Lake Development Concept.

Included within this report was a recommendation that 'staff be authorized to determine in conjunction with the Attorney-General's Department those areas that may become the subject of a formal lease agreement between the Municipality and the Provincial government'. Council at the January 28th meeting also directed staff to request the Provincial government to arrange a long term lease for Deer Lake in favour of the Municipality.

STATUS

Municipal staff have had continued discussions with the Department of Municipal Affairs, Public Works and the Attorney-General in finalizing the areas within the L. M. R. C. C. property to be leased to the Municipality and the terms of the lease agreement.

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The final draft of an Agreement to Lease, which is attached, reflects these discussions and essentially provides for a 99 year lease for 158.34 acres of land at an annual rental of \$1.00 per annum.

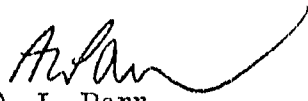
From the Provincial government's viewpoint it was considered most expedient for the lease agreement for the 158.34 acres to be signed on or prior to April 1, 1976. From the Municipal perspective, this position would not affect Municipal objectives for the area. Consequently, it was proposed that the Municipality and the Province enter into an Agreement to Lease for the 158.34 acres on June 21, 1975. This Agreement to Lease ensures that the Province will lease the 158.34 acres to the Municipality for park purposes and that the Province will not use or commit the land to any other use.

The 158.34 acres encompasses all the lands not required by the Correctional Centre in the phasing out of their operations. The terms as presented in the Agreement to Lease were also drafted to complement the proposals presented in the Deer Lake Development Concept report by affording the Municipality the opportunity to develop the Correctional Centre lands as an integral part of the Burnaby Central Valley park system.

With respect to Deer Lake, the Department of Lands, Forests and Water Resources is considering a Municipal application for a 99 year lease for Deer Lake for recreational purposes at an annual rental of \$1.00 per annum. Due to the fact that this application is under consideration at the Provincial level, it is felt that the execution of the Correctional Centre lease should be finalized at this time independent of the Deer Lake lease. Therefore, a further report on the lease for Deer Lake will be submitted to Council when a formal response from the Department of Lands, Forests and Water Resources is received.

#### RECOMMENDATION

It is recommended that Council authorize the execution of the attached Agreement to Lease between the Province of British Columbia and The Corporation of the District of Burnaby on June 21, 1975.

  
A. L. Parr,  
DIRECTOR OF PLANNING.

BL:ow  
att.

c. c. Parks and Recreation Commission  
Parks and Recreation Administrator  
Municipal Solicitor  
Land Agent  
Municipal Treasurer

AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 1975

BETWEEN:

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HER MAJESTY THE QUEEN IN THE RIGHT OF THE  
PROVINCE OF BRITISH COLUMBIA as represented  
by the Honourable, the Minister of Public Works

(hereinafter referred to as the "CROWN")

AND:

THE CORPORATION OF THE DISTRICT OF BURNABY

(hereinafter referred to as "BURNABY")

WHEREAS the CROWN is the Owner of that certain parcel or tract of land  
in the Municipality of Burnaby, more particularly known and  
described as follows:

Subdivision of Part of Lot F, Plan 1267  
DL 83; Part of Parcel B Explanatory  
Plan 15301, DL 84; Part of Parcel E,  
Plan 2698, Parts of Parcels A and B  
Plan 3245, Parcel F Plan 1127, the  
North 297.4 feet of Lot A Plan 3248,  
Lot A Block 1, Plan 1462 DL 93 Group  
One, New Westminster District and shown  
outlined in red in the plan attached hereto.

(hereinafter referred to as "THE PARK LAND")

WHEREAS THE PARK LAND forms part of the grounds of the Lower Main-  
land Correctional Centre in Burnaby, and the Crown intends  
over the next five years to phase out the operation of the said  
Centre, and Burnaby would like to obtain further lands for  
public park purposes adjacent to Deer Lake, in addition to those  
it already owns.

WHEREAS the CROWN is anxious to encourage the preservation and pro-  
vision of open green spaces for public recreational use, now

WITNESSETH that in consideration of the foregoing:

1. The CROWN agrees that it will, effective the 1st of  
April, 1976 grant a lease to Burnaby of THE PARK LAND  
above for park purposes for the period of 99-years.

The annual rental of THE PARKLAND will be One Dollar a  
year.

2. Burnaby covenants that it will not from the signing hereof  
until the expiry of the 99-year lease, use or develop THE  
PARK LAND for any other than public park purposes, and  
that it will only construct such buildings or structures

thereon as are normally required for or consonant with park purposes.

3. That Burnaby further covenants and agrees that it will not construct any through roads on THE PARK LAND, but will only provide such necessary roads as are required for park purposes and to give access to automobile parking.
4. The CROWN agrees and undertakes during the period from the execution hereof until April 1, 1976 to allow Burnaby, its officials, agents, planners, engineers, and employees, access to THE PARK LAND for the purpose of planning and carrying out the landscaping of the park, the building of the trails and necessary roads and buildings and structures referred to above. Such access is to take place during the normal working hours from Monday to Friday, inclusive, in any week. The access is to be arranged beforehand between Burnaby and the Director of the Lower Mainland Correctional Centre.
5. Although the formal lease from the CROWN to Burnaby will not be granted until April 1, 1976, the Crown will endeavour, as the phasing out of the Lower Mainland Correctional Centre permits, to grant general public access to THE PARK LAND before April 1, 1976. It is agreed between the parties that in case public access is granted prior to the formal lease, and thereafter that until the Lower Mainland Correctional Centre has been fully phased out, the existing fence between THE PARK LAND and the Centre, which encroaches slightly on THE PARK LAND, may be retained by the CROWN, and THE PARK LAND available under the lease will be reduced by the extent of this encroachment, but in any event the CROWN agrees to remove the said fence, or replace it by one that does follow the boundary line between THE PARK LAND and the Centre, on or before the 31st day of December, 1978.

Provided that if the CROWN property adjacent to the south of THE PARK LAND continues to be used as a Correctional Centre after the above date, and the security needs of the Centre demand that certain protective and restrictive measures be taken around the borders of the Centre's property, the Lessor and the Lessee will, nevertheless, collaborate to ensure unrestricted public access to as much of THE PARK LAND as possible.

6. Burnaby covenants and agrees that the expense of THE PARK LAND landscaping, development, and maintenance, and operation from the date of the signing hereof and until expiry of the ninety-nine year lease will be borne by BURNABY, provided however that this shall not preclude Burnaby from receiving grants from the Provincial Government, the Federal Government, or any other source, by way of funds, or of assistance with work, landscaping and planning, either specifically for THE PARK LAND, or as part of larger grants to assist the parks' program, or any part thereof in the Municipality of Burnaby.

7. The initial development stage, that is the provision of landscaping paths, access roads, and parking areas necessary to make THE PARK LAND suitable for use by the public as a park, will be overseen and approved by a joint liaison committee consisting of eight members, four of which shall be appointed by the CROWN, and four by Burnaby. The committee will appoint a Chairman from among its members, and make its decisions by majority vote, and will adopt appropriate rules of order for the conduct of its business. Upon completion of the said initial stage of development, the committee will, by agreement between the CROWN and Burnaby, be dissolved, and the operation and general supervision of THE PARK LAND thereafter shall be entirely carried out by Burnaby. The initial members of this committee will be:

For the Crown:-

The Honourable James Lorimer

Mr. B. G. Robinson

Mr. A. B. Bjarnason

Mr. J. R. Simpson

For Burnaby:-

Mr. A. L. Parr

Mr. D. Gaunt

and an additional 2 members representing Burnaby from the Planning and Parks and Recreation Departments.

IN WITNESSETH WHEREOF, the parties hereto have hereunto set their hands and seals as of the day and year first above written.

SIGNED, SEALED AND DELIVERED  
by The Honourable, the Minister of  
Public Works, in the presence of:

Name .....)

Occupation.....)

Address .....)

.....)

SIGNED, SEALED AND DELIVERED  
by The Honourable, the Minister  
of Municipal Affairs, in the  
presence of:

Name .....)

Occupation.....)

Address.....)

.....)

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SIGNED, SEALED AND DELIVERED  
by The Honourable, the Attorney-  
General, in the presence of:

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Name .....

Occupation.....

Address.....

.....

The Corporate seal of

The Corporation of the District of .....

Burnaby.....

was hereto affixed in the presence of

Signature of Officer .....

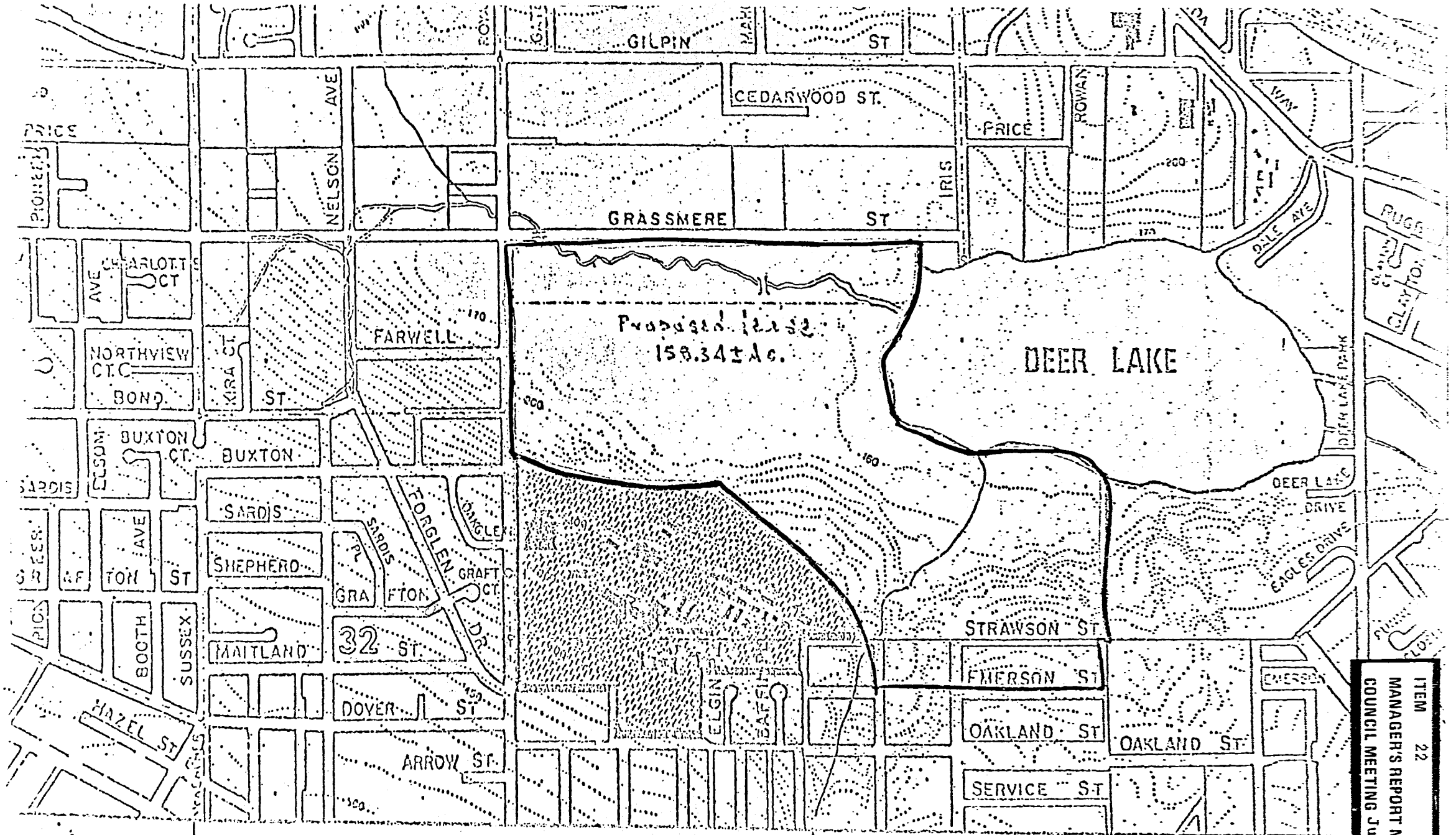
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Title .....

Signature of Officer.....

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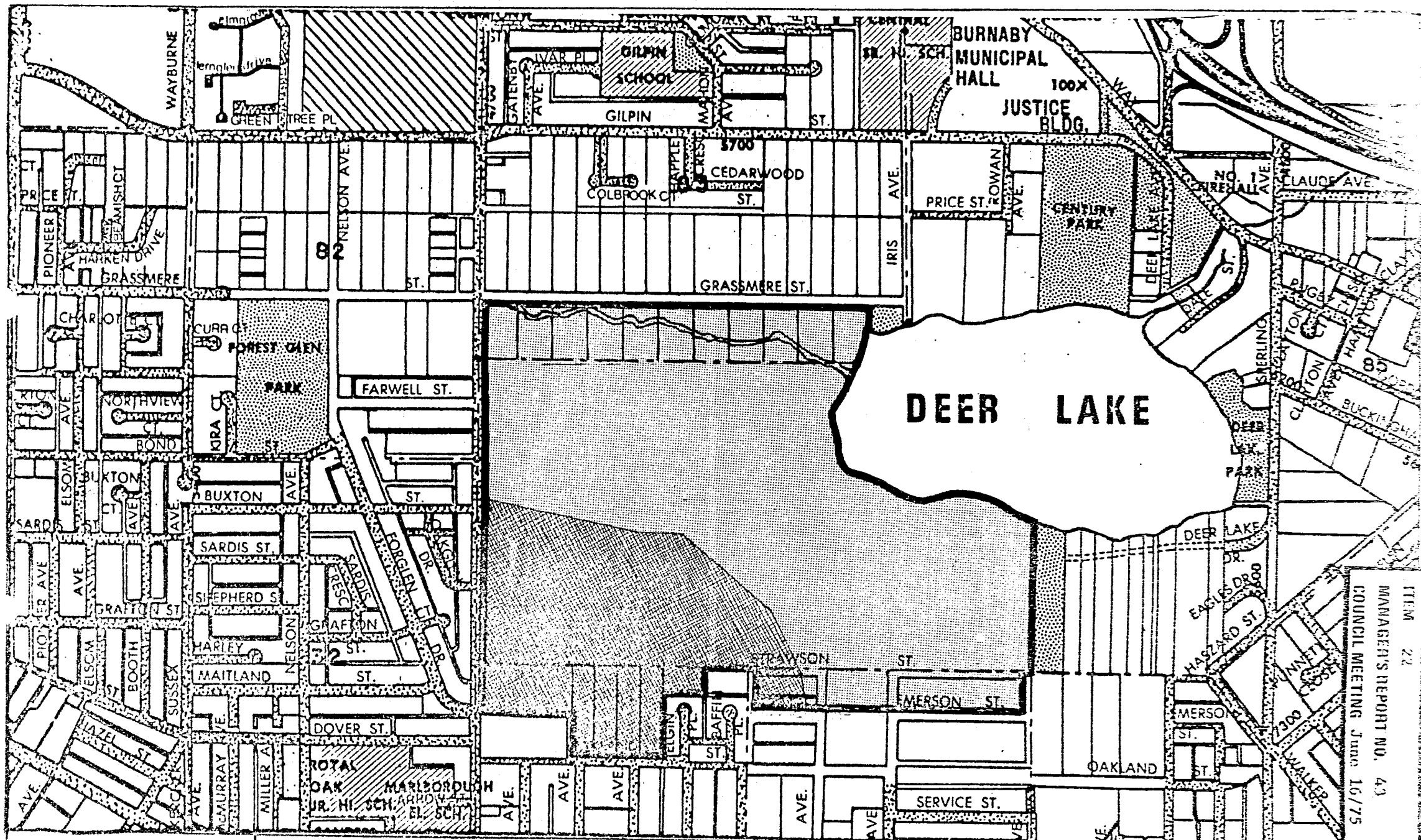
Title.....






DEER LAKE DEVELOPMENT CONCEPT  
 LAND REQUIREMENTS OF THE LOWER MAINLAND REGIONAL

LAND REQUIRED BY LMR CO

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**LOWER MAINLAND REGIONAL CORRECTIONAL CENTRE - PROPOSED LEASE AREA**

-  LM RCC PROPERTY
-  LAND TO BE LEASED TO BURNABY
-  LAND TO BE RETAINED BY PROVINCE

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