

ITEM	13
MANAGER'S REPORT NO.	27
COUNCIL MEETING	90/04/09

RE: PARK DEDICATION - LUBBOCK WOODS, NON-MUNICIPAL PUBLIC LANDS ON BURNABY MOUNTAIN

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER 1990 APRIL 02
 FROM: DIRECTOR PLANNING & BUILDING INSPECTION Our File: 10.250
"LUBBOCK WOODS"
 SUBJECT: PARK DEDICATIONS - LUBBOCK WOODS, NON-MUNICIPAL PUBLIC LANDS ON BURNABY MOUNTAIN
 PURPOSE: To inform Council of the feasibility and advisability of including Lubbock Woods Park and non-municipal public lands on Burnaby Mountain for park dedication.

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RECOMMENDATION:

1. THAT this report be received for information purposes.

REPORT

1.0 BACKGROUND

Council, at its meeting of 1990 January 22, requested staff to review two items in relation to the Parks Dedication Bylaw proposed as part of the Municipal elections to be held in 1990 November. These included the feasibility and advisability of including Lubbock Woods Park and the non-municipal public lands on Burnaby Mountain for park dedication.

This report is written in response to this matter.

2.0 PARKLAND CLASSIFICATIONS

There are three categories of parkland within the Municipality. These are dedicated parklands, reserved parklands and lands designated for park purposes. In all cases, the lands in question must be owned by the Municipality.

ITEM	13
MANAGER'S REPORT NO.	27
COUNCIL MEETING	90/04/09

2.1 Dedicated Parkland

Section 533 of the Municipal Act indicates that Council may, by Bylaw (passed by a simple majority of Council) and with the consent of the electorate, dedicate Municipal land for a public purpose, including park use. The dedicated status can only be removed with the assent of the electorate.

150

2.2 Reserved Parkland

Section 532 of the Municipal Act stipulates that Council may, by Bylaw (passed by at least 2/3 of the members of Council), reserve Municipal land for public purposes. The assent of the electorate is not required. Such a reservation may only be removed by an affirmative vote of at least 2/3 of the members of Council and the approval of the Minister, who may, before giving his approval, direct that the assent of the electors be obtained.

2.3 Designated Parklands

These are municipal properties which have been designated for park purposes in approved development plans (e.g. Cariboo Development Plan, Edmonds Town Centre South Plan) and which have neither been designated or reserved or lands that have been purchased for park under the Parks Acquisition Program but not dedicated or reserved.

3.0 LUBBOCK WOODS PARKSITE

Council, at its meeting of 1989 January 09, received a report concerning the possible dedication of the Lubbock Woods parksite. At that time, Council concurred with the recommendation that the Lubbock Woods parksite be included in the next Parks Reservation Bylaw.

Staff are of the opinion that this remains as the most desirable option for this park area. It is not of the scale of the other major park areas proposed for inclusion in the proposed 1990 Parks Dedication Bylaw and would add to the complexity of an already full dedication ballot.

4.0 PUBLIC LANDS - BURNABY MOUNTAIN

Municipal properties situated within the Burnaby Mountain Conservation Area are to be included within the proposed Parks Dedication Bylaw. Section 533 of the Municipal Act is specific that only property owned by the Municipality can be included within a park dedication. Lands within the Conservation Area that are owned by Simon Fraser University and the Federal and Provincial Governments are therefore not eligible to be included within a dedication referendum.

ITEM	13
MANAGER'S REPORT NO.	27
COUNCIL MEETING	90/04/09

Staff have submitted materials to Public Works Canada concerning the possible municipal acquisition of an 84 acre, federally owned property on the north slope of Burnaby Mountain. A report for Council is presently under preparation concerning Crown Grant applications for Central Park and a 25 acre parcel owned by the Provincial Government that is located within the Burnaby Mountain Conservation Area. These Federal and Provincial properties within the Burnaby Mountain Conservation Area are shown on the attached Figure 1.

Following the successful municipal acquisition of these properties, it is intended that they be included within the future park dedication program proposed for the 1993 municipal election.






A.L. Parr
DIRECTOR PLANNING &
BUILDING INSPECTION

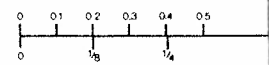
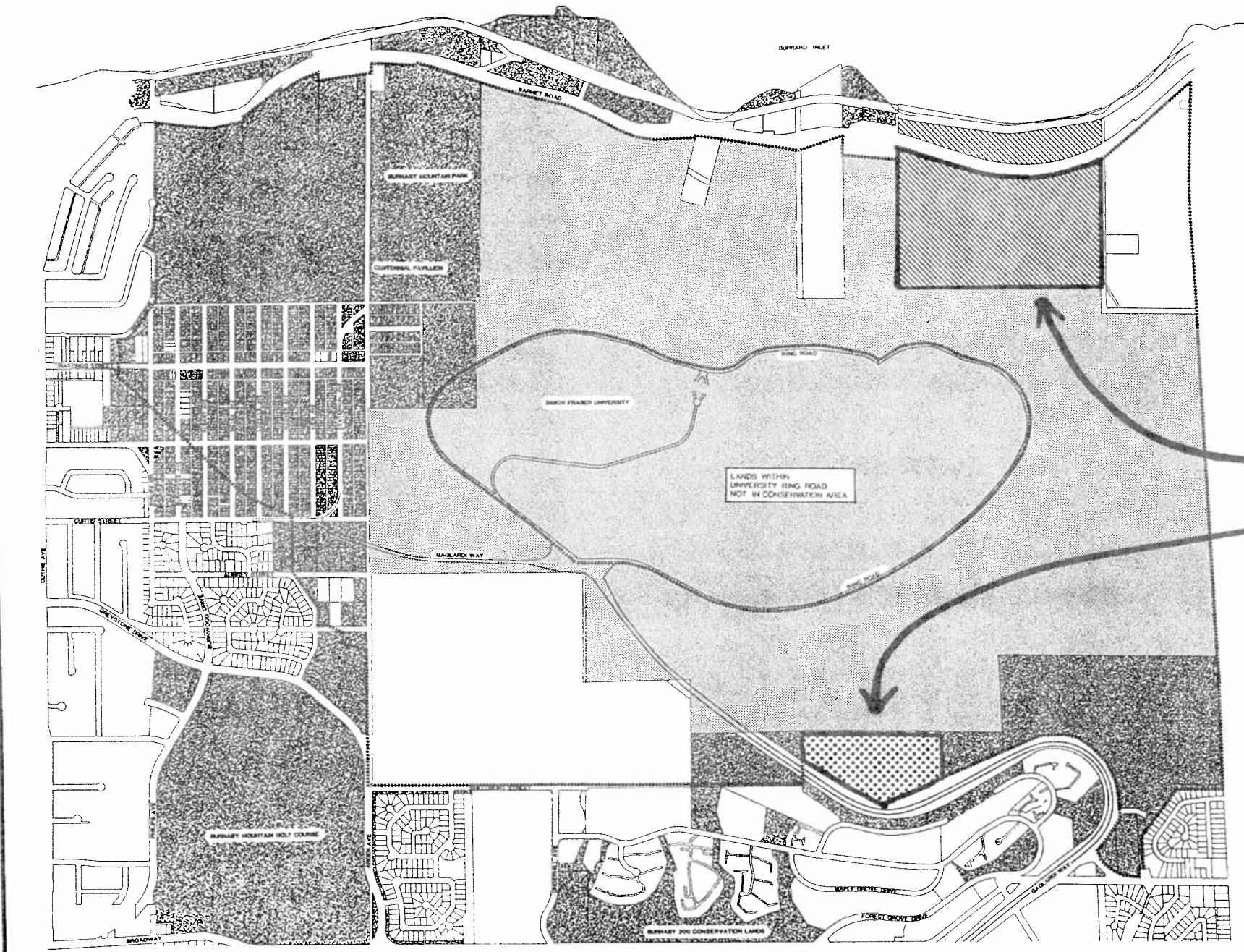

JSB/mcb
Attach:

cc: Municipal Clerk
Municipal Solicitor
Director Recreation & Cultural Services

Burnaby Mountain Conservation Area

Land Ownership

- Conservation boundary
-  S.F.U. properties
-  Municipal properties
-  ^{SUBJECT} Federal properties
-  ^{SUBJECT} Provincial properties



152

ITEM	13
MANAGER'S REPORT NO.	27
COUNCIL MEETING	90/04/09

BURNABY PLANNING & BUILDING INSPECTION DEPARTMENT
1989 SEPTEMBER

FIGURE 1