

What is a public reserve?

When an area of Town is developed, a developer will apply for a subdivision of the land. Within that process, the developer will negotiate a development agreement with the Town. The development agreement may include a dedication of public reserve land. The Planning Act contains special provisions respecting the use and disposal of public reserve land.

Under section 138(1) public reserve land may be used only for:

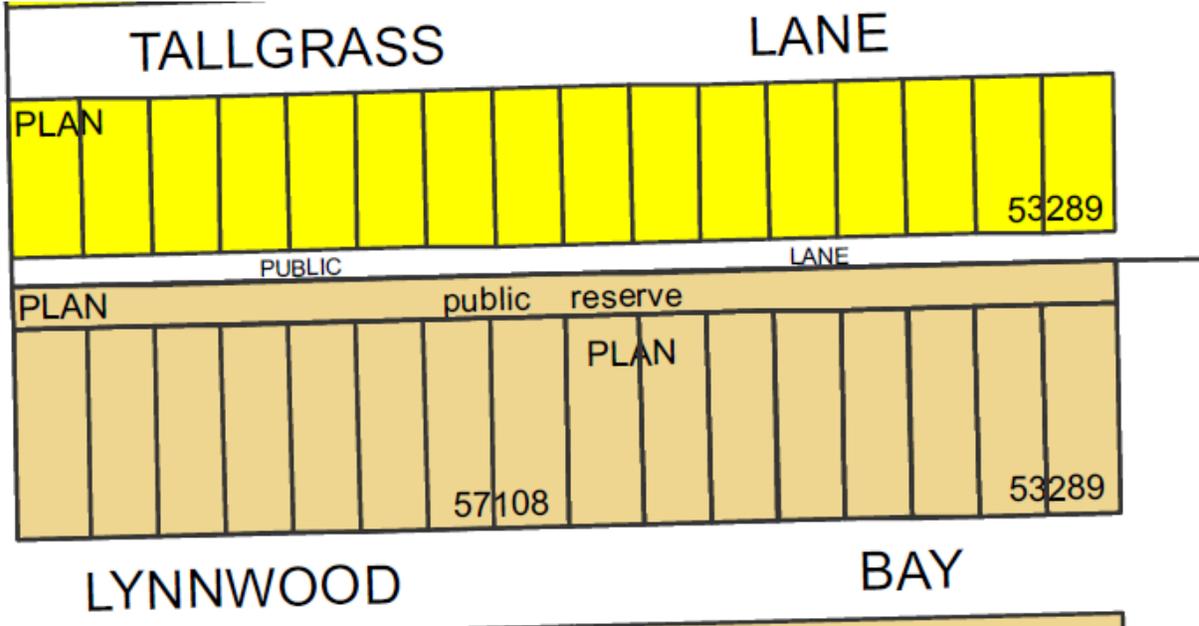
- (a) a public park;
- (b) a public recreation area;
- (c) a natural area;
- (d) a planted buffer strip separating incompatible land uses; or
- (e) public works.

If the Town were to choose to close public reserve land, the Planning Act provides that it may only do so by passing a by-law to close the public reserve land and obtaining written approval of the by-law from the Minister of Municipal Relations. Council must give notice and hold a hearing respecting the proposed by-law prior to second reading.

What is the reason for this public hearing?

When the area was first developed under the Buffalo Creek Estates Development Agreement (i.e., Millennium Drive, Lynnwood Bay NW & Creekside Way), the agreement allocated a 25-foot wide buffer area between the development and what was then agricultural land (see sketch on next page).

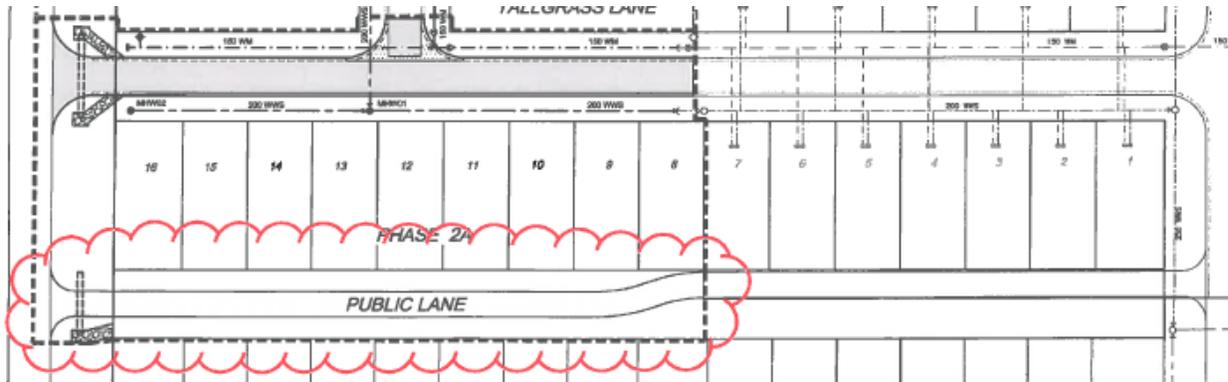
Legal Plan Sketch of Area Prior to Closure / Road Opening



When the area to the north of the public reserve land was later developed under the Parkland Development Agreement, the subdivision plan allocated a public back lane adjacent to the public reserve to service the lots in the Parkland Development (see above).

Prior to establishing the remaining portion of the public lane earlier this year, the developer approached Town Council to propose that the new section of the public back lane be relocated to provide better accessibility for property owners (see sketch on the next page).

Legal Plan Sketch of Area Following Closure / Road Opening



The public hearing is necessary to provide sufficient notice of the proposed by-law that will:

1. Close a portion of the public reserve land;
2. Open the public lane area as proposed above; and
3. Re-allocate the previous public lane area to public reserve.

If you have any further questions, please contact Dan Gagné, Chief Administrative Officer, at dan.gagne@altona.ca or 204-324-6468.