

## Bylaw 15495

### Amendment to Reserve Designation Bylaw 15248 - Parks

#### Purpose

To amend Bylaw 15248, Reserve Designation Bylaw 15248 - Parks, by adding additional direction to facilitate registration at Alberta Land Titles Office.

#### Readings

Bylaw 15495 is ready for three readings. A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree “That Bylaw 15495 be considered for third reading.”

#### Position of Administration

Administration supports this Bylaw.

#### Report Summary

- Designation of Reserve Bylaw 15248 – Parks was unanimously approved by Council on November 24, 2009.
- Designating all parcels on a park site as “Reserve” is the first step in consolidating the site, and preventing cross-lot drainage in contravention of the Drainage Bylaw #11501. The “Reserve” designation also retains the sites for their intended purposes.
- Alberta Land Titles requires that the bylaw contain additional clarification/direction prior to registration. This amendment provides the required clarification and direction.
- Bylaw 15248 and amending Bylaw 15495 do not change intended use or enjoyment of parkland. Additional

sites may be brought forward in the future as ongoing site acquisitions or changes to parkland require further consolidations.

#### Previous Council/Committee Action

At the July 13, 2010, Transportation and Public Works Committee meeting, the following motion was passed:

That Bylaw 15495 be given the appropriate readings.

#### Policy

Edmonton’s Drainage Bylaw 11501 Section III.7.3(c), does not allow storm drainage to cross onto adjacent lots. Combining or reconfiguring abutting parks lots by plans of consolidation eliminates cross lot drainage, bringing Parks inventory into compliance with the Bylaw.

#### Focus Area

Improve Edmonton’s Livability.

#### Legal Implications

- Law Branch advises that lots with a “Municipal Reserve” designation cannot be consolidated with “non-reserve” lots. However, Council may, by Bylaw, designate lots as Municipal Reserve in accordance with the *Municipal Government Act*, section 665(1). The lots making up a park site would then all have a “Municipal Reserve” designation and could be consolidated with abutting municipal reserve lots.
- Consolidating the multiple parcels that make up school and park sites will allow publicly owned park parcels to conform to the City’s Drainage Bylaw 11501.

**Attachments**

1. The City of Edmonton Bylaw 15495  
Amendment to Reserve Designation  
Bylaw 15248

**Others Reviewing this Report**

- D. H. Edey, General Manager,  
Corporate Services Department