

Re: AMENDMENT TO REZONING REFERENCE #84A/69  
LOUGHEED VILLAGE PROJECT AT 9501 ERICKSON DRIVE

ITEM 8  
MANAGER'S REPORT NO. 1  
COUNCIL MEETING Jan. 12/76

Following is a report from the Director of Planning on Rezoning Reference #84A/69. The main subject of the report, a public pedestrian walkway and related easement, is shown graphically on the attached sketch.

RECOMMENDATIONS:

1. THAT the following prerequisite be rescinded:  
"The construction, to full Municipal standards, of the public pedestrian walkway through the subject site"; and
2. THAT the following prerequisite be adopted:  
"The completion to an acceptable standard of the existing asphalt walkway in the southerly portion of the property, and the granting of the necessary public walkway easement, on the understanding that this acceptance is not construed as a precedent or as signifying any change in the Municipal standard, and that a clause will be included in the easement agreement providing that the walkway will be reconstructed by the owner of the property and at his expense, when and as the Municipality advises that replacement is necessary"; and
3. THAT Council approve of the substitution of a realigned easement as required to replace the existing right-of-way; and
4. THAT Rezoning Reference #84A/69 be now advanced to Third Reading, with Final Adoption to follow upon satisfactory completion of the amended prerequisite condition #2.

\* \* \* \* \*

TO: MUNICIPAL MANAGER  
FROM: DIRECTOR OF PLANNING  
SUBJECT: REZONING REFERENCE #84A/69 - AMENDMENT TO  
LOUGHEED VILLAGE PROJECT AT 9501 ERICKSON DRIVE

PLANNING DEPARTMENT  
JANUARY 8, 1976

BACKGROUND

On June 17, 1975, a request to amend the Comprehensive Development Plan for the subject project to permit the addition of 7240 square feet of commercial retail space was advanced to a Public Hearing, and on June 23, 1975 Council gave the amending Bylaw Two Readings, with finalization to be subject to the following two conditions:

1. The submission of a suitable plan of development incorporating certain comments outlined in the Council Report.
2. The construction, to full Municipal standards, of the public pedestrian walkway through the subject site.

In connection with the first prerequisite, a suitable plan has been submitted and is acceptable.

PUBLIC PEDESTRIAN WALKWAY

The second prerequisite condition is intended to provide for completion of this portion of the public walkway system between Bell Avenue and the Lougheed Mall centre, developed to a consistent concrete standard throughout, in line with the accepted 'full Municipal standard', within an easement that had been registered previously for this purpose.

Prior to this condition being applied, the owner of the project had constructed an asphalt path through a portion of the southerly area of his property, as an element of the project landscaping. After discussions with the Engineering Department, the owner upgraded and extended this asphalt path to the satisfaction of the Municipal Engineer, although it does not lie within the easement area nor does it reflect the consistent, high quality concrete standard that was expected.

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The applicant feels strongly that the asphalt walkway should be accepted as constructed. Although the material is not concrete, it has been carefully constructed and finished, and presents a reasonable appearance at this time. It is generally accepted that asphalt paths are less durable in the long run, however, than properly constructed concrete ones, and it would be unwise to accept a standard that will unnecessarily require the outlay of Municipal funds for replacement.

In view of the circumstances that have led to the Engineer's acceptance in this instance of a facility which appears adequate although not constructed to the normal Municipal standard, we have sought to reach an agreement that will secure the Municipality's position for this public walkway. The applicant has stated his agreement to doing what is necessary in this regard, and we are now able to recommend acceptance of the works subject to the following:

1. The stipulation that acceptance in this instance of a non-concrete standard will not be construed as a precedent for other applications, nor as an expression of any change in the Engineer's standard specification.
2. The preparation of a modified easement plan with a geometry reflecting a simple shape which will contain the walkway as constructed (the property owner has engaged a land surveyor who is preparing the necessary right-of-way plan to accompany the modified alignment).
3. The inclusion in the easement agreement of a clause providing that when and as the public walkway over this property requires replacement, it will be reconstructed by the owner of the property at his expense in concrete, to the full municipal concrete standard.

#### CONCLUSION

On the basis of the foregoing Council is being asked to amend the second prerequisite condition to permit acceptance of the existing facility, subject to the points mentioned above, and to endorse the replacement of the existing public walkway easement with one which reflects the facility as constructed.

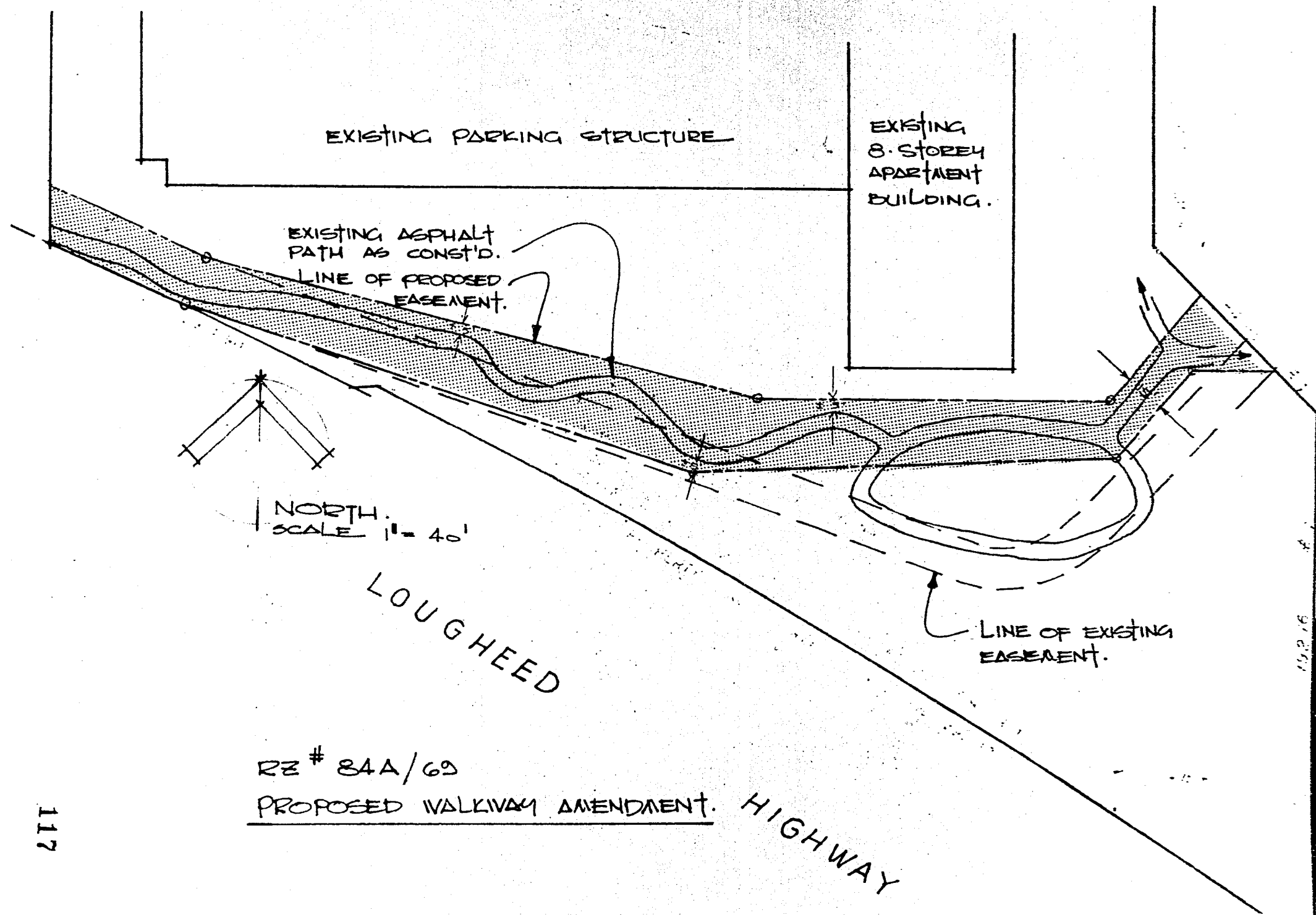
#### RECOMMENDATION

It is recommended that

1. The previous recommendation #2 above be rescinded, and replaced by the following:
  - 2) The completion to an acceptable standard of the existing asphalt walkway in the southerly portion of the property, and the granting of the necessary public walkway easement, on the understanding that this acceptance is not construed as a precedent or as signifying any change in the Municipal standard, and that a clause will be included in the easement agreement providing that the walkway will be reconstructed by the owner of the property and at his expense, when and as the Municipality advises that replacement is necessary.
2. The Council approve of the substitution of a realigned easement as required to replace the existing right-of-way.
3. Rezoning Reference #84A/69 be now advanced to Third Reading, with Final Adoption to follow upon satisfactory completion of the amended condition #2.

*ADP*  
DGS:cm  
Attach.  
c.c. Municipal Engineer

*A. L. Parr*  
A. L. Parr,  
DIRECTOR OF PLANNING.



RZ # 84A/69  
PROPOSED WALKWAY AMENDMENT.

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