

ITEM	20
MANAGER'S REPORT NO.	47
COUNCIL MEETING	June 27/77

Re: KINGSWAY PEDESTRIAN OVERPASS
B. C. TELEPHONE COMPANY HEADQUARTERS - CENTRAL PARK
DEDICATION AGREEMENT
(ITEM 10, REPORT NO. 57, SEPTEMBER 13, 1976)
(ITEM 45, REPORT NO. 51, JULY 22, 1974)

As a condition of rezoning and development of the B. C. Telephone Company headquarters site at Kingsway and Boundary Road, B. C. Telephone constructed a pedestrian overpass across Kingsway between their development and Central Park. This structure was to be dedicated to the Municipality upon completion.

The development is now complete and B.C. Telephone Company has provided the Corporation with a dedication agreement which will finalize the transfer of the structure to the Municipality.

The proposed agreement generally provides for the following:

1. Subject works were constructed as a condition of granting rezoning and a development permit and were undertaken by B. C. Telephone Company in the name and on behalf of the District of Burnaby.
2. The works are transferred to the Corporation by deed of gift.
3. That the works are constructed as per approved plan and are free of all liens or encumbrances.
4. That the District confirms performance by B.C. Telephone of the condition of development related to the overpass.
5. That the District shall now take full responsibility for maintenance of the works except that B. C. Telephone shall maintain the travelled portion in a clean and tidy condition.

A certificate has been obtained which guarantees the construction of the overpass to be as designed and in accordance with sound engineering practice.

The general contractor, Dominion Construction, has provided Burnaby with a separate letter transferring the standard construction warranty from B. C. Telephone Company to the Corporation.

The Municipal Solicitor has reviewed the proposed agreement and has advised that it is consistent with the objective of the Municipality. A By-law has been prepared to give effect to the dedication and to authorize execution of the agreement.

RECOMMENDATION:

1. THAT the subject by-law be brought forward.

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