

Re: BURNABY "200" COMMUNITY PLAN
 LEASE - THE CORPORATION OF THE DISTRICT OF BURNABY AND
 THE GREATER VANCOUVER WATER DISTRICT

Following is a report from the Acting Parks and Recreation Administrator regarding the proposed execution of a lease involving the use of G.V.R.D. property on Burnaby Mountain for recreational purposes.

The Municipality would occupy approximately 83% of the site area. It is on this basis that the proposal to have the Municipality pay 83% of the annual tax is based.

The Commission's suggestion that Clause 3(ii) be more specific will be referred to the Municipal Solicitor for his consideration although the document as presented was approved by him on a previous occasion.

RECOMMENDATIONS:

1. THAT Council approve the lease between the Greater Vancouver Water District and the Corporation of the District of Burnaby for a portion of the Burnaby Mountain Reservoir Site for a ten-year period from January 1, 1977, at the rate of \$1.00 per year plus 83% of annual taxes; and
2. THAT Council authorize the execution of said lease.

* * * *

TO: MUNICIPAL MANAGER

FEBRUARY 3, 1977

FROM: PARKS AND RECREATION ADMINISTRATOR

RE: BURNABY "200" COMMUNITY PLAN
 LEASE - THE CORPORATION OF THE DISTRICT OF BURNABY AND
 THE GREATER VANCOUVER WATER DISTRICT

The Community Plan for Burnaby "200", adopted by Council on July 21, 1975, with an amendment adopted on November 17, 1975, calls for the developer to construct a playfield and three tennis courts on the G.V.W.D. Burnaby Mountain Reservoir site. See Section 2.6 and Schedule V of the attached summary of the Plan.

The G.V.W.D. has consented to lease the required portion of their property to the Municipality for a term of ten years at a nominal rate of \$1.00 per year, plus taxes. A copy of the proposed lease is attached. The Municipal Treasurer has established the Corporation's share of taxes to be 83% of the annual tax for the site. As the 1976 taxes amounted to \$6,147.86, the Corporation's share for 1977 has been estimated at \$5,103.00

At its meeting of February 2, 1976, the Parks and Recreation Commission approved the lease with the G.V.W.D. but requested that clause 3 (ii) be more specific as to what repairs the Corporation would be responsible for, i.e., only damage done to the area being leased and caused by the recreational use of this area. The Commission also approved the inclusion of \$5,103.00 in the 1977 Annual Budget.

RECOMMENDATIONS

1. THAT Council approve the lease between the Greater Vancouver Water District and the Corporation of the District of Burnaby for a portion of the Burnaby Mountain Reservoir site for a ten-year period from January 1, 1977, at the rate of \$1.00 per year plus 83% of annual taxes.
2. THAT Council authorize the execution of the said lease.


 G. Squire
 ACTING ADMINISTRATOR

ITEM 2

ITEM	19
MANAGER'S REPORT NO.	9
COUNCIL MEETING	Feb. 7/77

ADMINISTRATOR'S REPORT NO. 3
COMMISSION MEETING FEB. 2/77

ATTACHMENT #1

154

THE FOLLOWING MATERIAL REPRESENTS A SUMMARY OF
THE BURNABY 200 COMMUNITY PLAN WHICH WAS ADOPTED
BY COUNCIL ON JULY 21, 1975 AND ON NOVEMBER 17,
1975.

PLANNING DEPARTMENT
JULY 17, 1975

TO: MUNICIPAL MANAGER
FROM: DIRECTOR OF PLANNING
SUBJECT: BURNABY 200 - COMMUNITY PLAN
SOUTH SLOPE OF BURNABY MOUNTAIN
GAGLARDI WAY/BROADWAY/UNDERHILL AVENUE

1.0 BACKGROUND

A comprehensive preliminary report towards the development of a Community Plan - "Burnaby 200" - was submitted to Council for its consideration on April 14, 1975. Council on May 12, 1975 approved, in principle, the basic intent in the establishment of a residential community on the subject site and authorized the Planning Department to continue to work with the potential developers of the subject site towards the development of a suitable Community Plan; and authorized the Planning Department to make formal contact with the Greater Vancouver Water District, the Burnaby School Board Officials, and the Parks and Recreation Department with reference to the development of the subject Community Plan. On June 20, 1975 Council adopted a number of recommendations which concerned general land transfer proposals and land value questions. In addition, an Advisory Planning Commission recommendation was adopted which stated "that Council keep pace with urban development in maintaining the necessary level of facilities and services (cultural, recreational, fire and police protection) in the north-eastern section of Burnaby bounded by Sperling Avenue, North Road, and Lougheed Highway northward."

The Planning Department has continued to work with the applicant and various Municipal agencies and departments towards the development of a suitable Community Plan. General information on locational characteristics, natural site characteristics, and previous Municipal studies and Council direction with reference to the Burnaby 200 is outlined under Sections 1.0, 2.0 and 3.0 of the report submitted to Council on April 14, 1975.

ITEM	19
MANAGER'S REPORT NO.	9
COUNCIL MEETING	Feb. 7/77

ITEM 2

ADMINISTRATOR'S REPORT NO. 3

COMMISSION MEETING FEB. 2/77

2.0 PARKS/CONSERVATION AREAS

Refer to Schedule I, Schedule III, Schedule IV, and Community Plan Sketch. Further comments follow:

156

- 2.1 All ravines and creeks are to be retained in an open condition. The discharge of storm water into ravines should be carried out in such a manner as to avoid erosion of the ravine banks and creek beds.
- 2.2 The construction schedule of community facilities will be determined in conjunction with the rezoning of the specific residential areas. Community facilities to be provided by the developer will be constructed concurrent with residential development.
- 2.3 All community facilities to be transferred into the ownership of the Municipality should be constructed to specifications acceptable to the Parks and Recreation Department.
- 2.4 The option is left open, in particular for the major proposed covered public swimming pool/change facilities, for the developer to deposit an appropriate amount of funds with the Municipality and for the Parks and Recreation Department to use these funds to construct a suitable swimming pool facility.
- 2.5 It is noted that, in line with previous reports on the Burnaby 200 area submitted to Council, the approximately 13.9 acre parcel of property east of Underhill Avenue owned by Lake City Industrial Corporation is part of the designated ravine conservation area (P6).
- 2.6 The Greater Vancouver Water District has agreed to allow the use of their property for recreational purposes on a year to year lease basis for a nominal consideration. The developer will provide the applicable recreational facilities as noted in Schedule IV on the GVWD property. The Parks and Recreation Department would be requested to coordinate the use of the GVWD property for recreational purposes with the Greater Vancouver Water District.

3.0 ROADS

Refer to Schedule III and Community Plan Sketch.

3.1 The following information applies:

- a) The Main Loop Road has a 36 foot wide pavement within a 66 foot wide right-of-way. A public walkway would be provided in close proximity to the southern curb line of this road (either as separated sidewalk or public walk within an easement). Sidewalks/walkways should be provided on both sides of the main loop road along the frontage of the institutional/recreational area in the north-western sector of the site.

ITEM 19
MANAGER'S REPORT NO. 9
COUNCIL MEETING Feb. 7/77

ITEM 2
ADMINISTRATOR'S REPORT NO. 3
COMMISSION MEETING FEB. 2/77

- b) A secondary cul-de-sac and two loop roads, off the main internal loop road with a 28 foot wide minimum pavement standard within a 60 foot wide right-of-way are proposed. A public walkway would be provided in close proximity to and paralleling these roads (either as separated sidewalk or public walk within an easement).
- c) Underhill Avenue between Broadway and the main internal road would be upgraded to a 46 foot wide pavement standard tapering to a 36 foot wide standard.
- d) The construction of the Broadway connection between Production Way and Gaglardi Way to a standard composed of two 23 foot wide pavement lanes separated by a 14 foot median is proposed. In order to accommodate this work and also to guarantee the requisite road right-of-way for the future Broadway roadway connection between Underhill Avenue and Production Way, the existing Broadway road right-of-way would be widened on the north side by a minimum of 34 feet. This widening dedication would be provided at the time of the initial major Community Plan subdivision.
- e) The short unconstructed segment of Production Way south of Broadway should be completed to the required standard as part of the development of the proposed Community Plan. This extension will be constructed by the developer at the same time as the construction of the Main Loop Road.
- f) The nature of the connection between this subject residential community and Lake City East on the east side of Gaglardi Way has been considered. A major pedestrian bridge connection is proposed in place of the previously proposed vehicular bridge connection (Reference RZ #55/74). However, the option to pursue the provision of a vehicular connection at a future date, should its need become evident, would be protected by the dedication of a 66 foot wide right-of-way between the Main Loop Road and Beaverbrook Crescent to the east of Gaglardi Way. This right-of-way would be utilized in the interim as an amenable public walkway/park link. This pedestrian bridge/link will be provided by the developer when any of the residential areas 1 to 9 are submitted for rezoning.
- g) Due to the steeply sloping site, it may be necessary to provide retaining walls in certain critical locations along the roadways in order to retain as many existing trees as possible. In general, further preliminary engineering design work is required to prove the final efficacy of the proposed road network in relation to the existing slopes and the retention of existing vegetation.
- h) To achieve the proposed road network, right-of-way dedications will be required from lands, at present, owned by the Province, the Municipality of Burnaby, B.C. Hydro, and Lake City Industrial Corporation Ltd.
- i) The construction of roads over oil pipelines or oil pipeline easements will require special attention.
- j) In general, the maximum road grade is to be 8% with some allowance for a 10% grade in short isolated sections of roadway. Adequate site distances should be maintained.
- k) A Road Closing Bylaw would be required to transfer the undeveloped Lakedale Avenue right-of-way into the ownership of the Municipality.

4.0 SCHOOL SITES

Refer to Schedule III, Schedule IV, and Community Plan Sketch.

158

4.1 Based on a maximum 1170 residential units, an estimated elementary school population of 435 - 440 pupils is generated. Based on 25 pupils per classroom, approximately 18 classrooms would be required.

4.2 If the final school planning decision is to have the children in the eastern part of the Burnaby 200 community attend the Stoney Creek Elementary School, the East School Site will not be required for school purposes. This proposal is still under discussion with the Burnaby School Board staff. The East School Site would be developed as a public park with a community playfield if not required for school purposes.

4.3 Suitable arrangements would be required for the provision of the necessary school facilities at the same time as the construction of housing on the subject site so that a serious "time lag" resulting in operational difficulties (i.e. busing, overcrowding of existing facilities, etc.) does not become evident.

4.4 Due care should be taken to maintain as many existing trees as possible on the school sites and to provide additional landscaping where appropriate in order to maintain the overall "treed" environment.

5.0 COMMUNITY/COMMERCIAL FACILITIES

Refer to Schedule III, Schedule IV and Community Plan Sketch. Reference is also made to Section 2.0 of this report - Parks/Conservation Areas.

5.1 A small commercial centre (C1) composed of, say, 4 to 5 convenience shops is proposed in a relatively central location north of the Main Loop Road. A day-care centre would be established as a part of this commercial centre. The type of uses accommodated could include a grocery/sundries store, drug store, dentist, doctor, bank, barber/hairstylist, etc.

6.0 RESIDENTIAL

Refer to Schedules I, II, III and IV; and Community Plan Sketch.

6.1 The proposed housing is essentially family oriented and designed to suit the varying slopes of the subject site. The developer has proposed the following three basic housing forms as appropriate for the subject site.

a) Rowhouses and semi-detached of a conventional nature are proposed in areas where slopes are at a minimum. These units will comprise approximately 16% of the total number of units and would be primarily used in Areas 5 and 12.

b) Higher density maisonette units which are suited to slopes of 5% to 12% are proposed for Areas 2, 3, 10, and 11 and account for approximately 39% of the total proposed units. The larger 3 and 4 bedroom units are at ground level, while the smaller 1 and 2 bedroom units are above. Further variants and refinements of this housing type are being explored by the developer's consultant.

ITEM	19
MANAGER'S REPORT NO.	9
COUNCIL MEETING	Feb. 7/77

ITEM 2
 ADMINISTRATOR'S REPORT NO. 3
 COMMISSION MEETING FEB. 2/77

Parking for the maisonettes is to be provided in underground garages or sunken landscaped carports (approval subject to further details) with a small proportion of visitor parking at grade.

c) Terraced townhousing is proposed for those portions of the site with slopes of 12% to 25%. The developer's consultant has stated that the terraced townhouse buildings provide:

- accommodation in a 4 or 5 storey structure with a maximum height of 3 storeys above grade at any given point.
- a mix of 2 and 3 bedroom maisonettes; and 3 and 4 bedroom townhouse units.
- variety in unit plans and design; and the ability to adjust to varying slope conditions.

These units are to be located on single-loaded roads (on the downhill side). A wide undeveloped strip of land, acting as a buffer zone between residential areas, will be provided on the uphill side of these single-loaded roads. These units are proposed mainly for Areas 1, 4, 6, 7, 8, and 9 and account for approximately 45% of the total proposed units.

6.2 A minimum residential setback of 90 feet is to be maintained from Gagliardi Way and Broadway. This requirement would only affect Areas 2 and 5.

6.3 The developer intends approximately 50% of the units to be sold as condominiums, 25% to be co-operative, and 25% to be rental.

6.4 The overall Community Plan would be staged. The Community Plan would be divided into reasonable sized projects for rezoning purposes and it is expected that these rezonings would proceed sequentially. This sequential development would allow Council to evaluate later rezoning proposals in the light of the manner in which previous stages have been developed.


It is contemplated at this time, that the initial developments will be located in the western sector.

6.5 The payment of full Municipal taxes or grants equal to full Municipal taxes is expected on all residential projects retained in the ownership of the Province.

6.6 It is recommended that the main exterior building material be wood so as to be compatible with the proposed treed conservation area environment.

7.0 RECOMMENDATION

It is recommended THAT Council adopt the Burnaby 200 - Community Plan as outlined in this report as a guideline for the development of individual residential sites, the development of community facilities, and the processing of rezoning and subdivision applications.


 A. L. Parr,
 DIRECTOR OF PLANNING.

KI:cm
 Attach.

ITEM 19
MANAGER'S REPORT NO. 9
COUNCIL MEETING Feb. 7/77

ITEM 2
ADMINISTRATOR'S REPORT NO.3
COMMISSION MEETING FEB. 2/77

GUIDELINES FOR DEVELOPMENT OF RESIDENTIAL AREAS

100

The aim of the following guidelines is to retain as much existing natural vegetation as possible and to preserve the natural character of this portion of Burnaby Mountain. The following guidelines are minimum requirements only and it is expected that the actual development of the residential areas will result in the retention of a higher proportion of natural vegetation and exceed the outlined minimum guideline standards in most instances.

1. Development of Residential Areas

Each area will contain a preserved and protected natural zone comprising a minimum 50% of the residential area. This zone will be defined by snow fencing during construction to ensure it is not disturbed. In conjunction with Rezoning procedures a detailed landscape reconnaissance should be undertaken for each residential area in order to optimize the retention of existing trees.

Where applicable the preserved and protected natural zone will include the following buffers:

A. To preserve Burnaby Mountain as a natural focal point

Where development is on the highly visible portions of the slope an undisturbed natural zone of minimum 75' width shall be provided immediately downslope from any structures (excluding road rights-of-way).

This applies to Areas 1, 4, 6, 7, 8, 9, and Sites C1 and S1.

An undisturbed natural zone (excluding requisite access driveways) of minimum 75' width shall be provided between the northern extent of the residential development in Areas 10, 11 and 12, and the Main Loop Road.

B. To limit continuous development along roads

480' shall be the maximum length of any building grouping (i.e. cleared developed area) along the Main Loop Road, roads B, or road C. An undisturbed natural zone of a minimum width of 75' is required between adjacent building groupings which excludes privacy zones, construction zones, fire truck accesses, and major recreational use areas.

This applies to Areas 1, 4, 6, 7, 8, and 9.

C. To buffer residential development from incompatible uses

Gaglardi Way, the proposed Broadway extension, the high voltage transmission tower and similar uses are not compatible with residential development. Adequate buffers to screen (visually/acoustically) these uses from residential development must be provided. These buffers will normally be 75' wide (90' wide for Gaglardi Way), however, larger or smaller buffers may be appropriate depending upon specific site topography and in accordance with Municipal guidelines. The buffer width will be detailed in conjunction with each specific rezoning proposal.

This applies to Areas 2, 3, and 5.

ITEM	19
MANAGER'S REPORT NO.	9
COUNCIL MEETING	Feb. 7/77

ITEM 2
 ADMINISTRATOR'S REPORT NO. 3
 COMMISSION MEETING FEB. 2/77

D. To preserve the character and quality of the ravine area

The ravine area in the south west portion of the site shall be an undisturbed natural zone below the 425' contour. The minimum conservation buffer width between residential areas and the widened Broadway Right-of-Way would be 250'.

This applies to Areas 10, 11 and 12.

E. To preserve the integrity of existing creeks

All creeks are to be retained in an open condition along their original alignments. Any proposed construction within creek/ravine areas should be unobtrusive and not affect the ravines in any adverse manner.

Coverage

Coverage requirements within residential areas shall be as follows:

1. Generally

Maximum coverage (buildings)	=	12%
Maximum coverage (roads and parking)	=	13%
Restored natural zone (including u.o.s.)	=	25%
Minimum preserved and protected natural area	=	50%

2. Exception for Areas 2 and 3

Maximum coverage (buildings)	=	12%
Maximum coverage (roads and parking - underground parking)	=	8%
Restored natural zone (including u.o.s.)	=	30%
Minimum preserved and protected natural area	=	50%

3. Exception for Areas 10 and 11 (based on Net Site)

Maximum coverage (buildings)	=	19%
Maximum coverage (roads and parking - underground parking)	=	9%
Restored natural zone (including u.o.s.)	=	22%
Minimum preserved and protected natural area	=	50%

KI:cm
 June 25/75

SCHEDULE II

1.0 PROPOSED COMMUNITY PLAN AMENDMENT (SEE SKETCH):

162

It is proposed that an addition of a maximum of 200 units to the 1,170 units outlined in the adopted Community Plan be given consideration by Council in order to assist the developer in acquiring the 13.9 acre industrially zoned property east of Underhill Avenue and west of Lakedale Avenue presently owned by Lake City Industrial Corporation, for inclusion as residential development sites (Areas 13 and 14) and conservation area (P6) within the context of the Community Plan. Council will recall its approval on October 20, 1975 for the sale of Municipally owned property within the Community Plan to the developer, and the agreed upon purchase price took into consideration the increase in the total number of units from 1,170 to a maximum of 1,370 units total and was contingent upon the acquisition of the 13.9 acre parcel west of Lakedale Avenue by the developer. The additional units have been distributed within the Community Plan in the most appropriate manner while maintaining the basic concepts of the preservation of existing trees, the preservation of creeks and ravines, and respect for the steeply sloping grade conditions in the area while assuring that all requisite Municipal standards reflecting the density of the proposed residential development are met. The provision of additional units is subject to further detailed locational studies at the time of rezoning which may indicate that the most appropriate number of additional units is subject to further detailed locational studies at the time of rezoning which may indicate that the most appropriate number of additional units is somewhat less than 200.

1.1 Summary of Additional Units.

1.1.1 Area 13

Terraced Townhousing
 Area = 3.2 acres
 Unit Mix - 3 bedroom units = 18
 4 bedroom units = 2
 Total Units 20
 Units Per Acre = 6.3
 Site Coverage = 11%
 Bedroom Count = 62
 F.A.R. = 0.20

1.1.2 Area 14

Terraced Townhousing
 Area = 4.2 acres
 Unit Mix - 2 bedroom units = 6
 3 bedroom units = 24
 4 bedroom units = 2
 Total Units 32
 Units Per Acre = 7.6
 Site Coverage = 11%
 Bedroom Count = 92
 F.A.R. = 0.22

SCHEDULE III
COMMUNITY PLAN RESIDENTIAL STATISTICS

Area No.	Description General Type	Area in Acres (Net)	Unit Mix				Total Units	Units per Acre (Net)	Site Coverage (Net)	Est. Population	Bedroom Count	F.A.R. (Net)	Parking General Comments
			1-Bed.	2-Bed.	3-Bed.	4-Bed.							
1	Terraced Townhousing	11.8	-	24	78	8	110	9.3	12%	424	314	0.26	<p>Current regulations: Group Housing 1.5 parking spaces/unit Condominium 1.7 parking spaces/unit Terraced Townhousing: minimum 0.6 spaces/unit to be for visitor parking Maisonettes: essentially underground or sunken landscaped parking. All exposed roof areas of underground parking to be landscaped and accessible, in general, to pedestrians.</p>
2.	Maisonettes	5.2	11	20	22	2	55	10.6	12%	180	125	0.26	
3.	Maisonettes	3.3	6	12	16	2	36	10.9	12%	122	86	0.28	
4.	Terraced Townhousing	8.7	-	18	60	6	84	9.6	12%	324	240	0.27	
5.	Townhousing	8.5	-	-	57	-	57	6.7	12%	228	171	0.20	
6.	Terraced Townhousing	6.0	-	14	36	4	54	9.0	12%	206	152	0.25	
7.	Terraced Townhousing	8.8	-	12	46	8	62	7.0	12%	260	194	0.20	
8.	Terraced Townhousing	10.6	-	22	70	8	100	9.4	12%	386	286	0.27	
9.	Terraced Townhousing	12.8	-	26	84	8	118	9.2	12%	454	336	0.26	
10.	Maisonettes	17.2 Gross 11.9 Net	60	80	56	4	200	11.6 Gross 18.2 Net	13.3% Gross	604	404	0.27 Gross	
11.	Maisonettes	15.8 Gross 11.4 Net	-	43	114	6	163	10.3 Gross 14.5 Net	13% Gross	615	452	0.29 Gross	
12.	Townhousing	13.8	-	17	100	10	127	9.2	12%	501	374	0.27	
TOTAL		122.5 Gross 112.8 Net	77 6.6%	288 24.6%	739 63.2%	66 5.6%	1170 100%	9.5 Gross 10.6 Net		4304	3134		

ITEM 19
MANAGER'S REPORT NO. 9
COUNCIL MEETING Feb. 7/77

ITEM 2
ADMINISTRATOR'S REPORT NO. 3
COMMISSION MEETING FEB. 2/77

ITEM 19
 MANAGER'S REPORT NO. 9
 COUNCIL MEETING Feb. 7/77

ITEM 2
 ADMINISTRATOR'S REPORT NO. 3
 COMMISSION MEETING FEB. 2/77

SCHEDULE IV
SUMMARY OF COMMUNITY PLAN STATISTICS

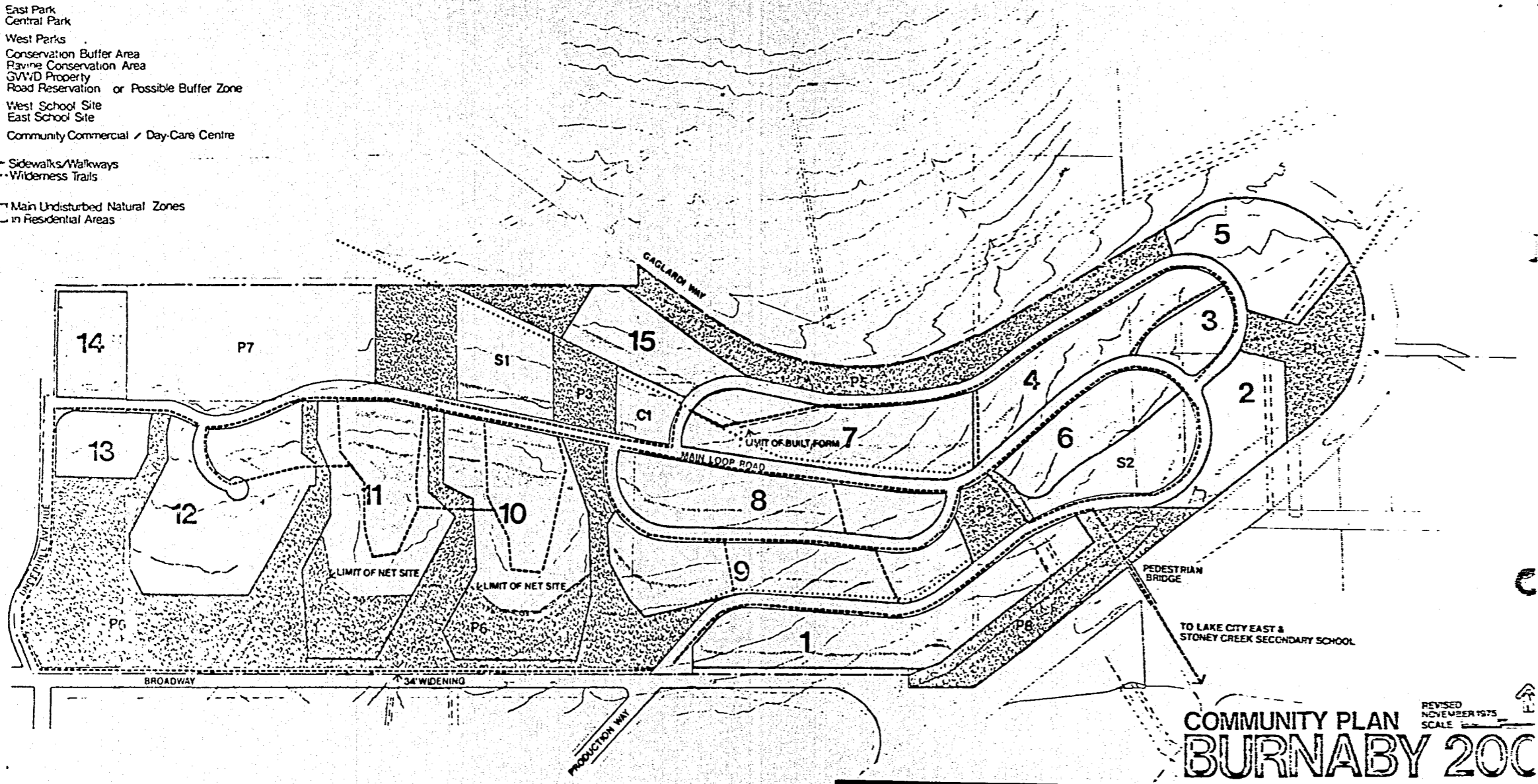
	KEY DESCRIPTION	Sub-Areas (Acres)	Totals (Acres)
Park/ Conservation Areas	P1 East Park	5.7	
	P2 Central Park	2.2	
	P3) West Parks	2.43	
	P4)	5.14	
	P5 Conservation Buffer Area	10.0	
	P6 Ravine Conservation Area (includes portions of Area 10 and 11)	47.33	
	P7 GVWD Property (NIC)	(16.34)	
	P8 Road Reservation/Possible Future Buffer Zone (NIC)	(7.5)	
	Total		
Roads	R1 Main Loop Road	14.5	
	R2)	8.9	
	R3) Secondary Roads		
	R4)		
	R5 Broadway Widening - 34'	3.1	
Total		26.5	
School Sites	S1 West Site	5.6	
	S2 East Site	5.1	
	Total		
Community/ Commercial Site	C1 Retail/ Daycare Centre		2.5
Residential	Total Area (NET) See Schedule I and Schedule II		127.6
TOTAL			240.1

LEGEND

- 1-15 Residential Areas
- P1 East Park
- P2 Central Park
- P3 West Parks
- P4 Conservation Buffer Area
- P5 Ravine Conservation Area
- P6 G.V.W.D Property
- P7 Road Reservation or Possible Buffer Zone
- S1 West School Site
- S2 East School Site
- C1 Community Commercial / Day-Care Centre

— Sidewalks/Walkways
 Wilderness Trails

▭ Main Undisturbed Natural Zones
 in Residential Areas



COMMUNITY PLAN
BURNABY 200

REVISED
 NOVEMBER 1975
 SCALE

ITEM 19
 MANAGER'S REPORT NO. 9
 COUNCIL MEETING Feb. 7/77

ITEM 2
 ADMINISTRATOR'S REPORT NO. 3
 COMMISSION MEETING FEB. 2/77

ITEM 19
MANAGER'S REPORT NO. 9
COUNCIL MEETING Feb. 7/77

ITEM 2
ADMINISTRATOR'S REPORT NO. 3
COMMISSION MEETING FEB. 2/77

Safety
Regulations

10. The Lessee covenants that it shall always observe all requirements and regulations including but not limited to requirements and regulations concerning the security, safety, health and sanitation of the Burnaby Mountain Reservoir and appurtenances, which the Lessor may from time to time make. The Lessor may from time to time exclude any and all persons, firms or corporations from all and any part of the Premises if such person, firm or corporation in the opinion of the Lessor creates a hazard or potential hazard or jeopardizes or potentially jeopardizes the Burnaby Mountain Reservoir and appurtenances, or if such requirements and regulations set out in the preceding sentence are not observed.

No
Construction

11. The Lessee covenants that it shall not commence to construct or cause or allow the commencement of construction of any building, structure, excavation or thing whatsoever on the Premises nor shall it commence or cause or allow the commencement of any work on the Premises whatsoever without:

- (i) First obtaining the written approval of the Lessor's engineer (which consent shall be withheld if the engineer is of the opinion that such construction or work as aforesaid would endanger or jeopardize the Burnaby Mountain Reservoir and appurtenances or any future or other existing reservoir facilities and appurtenances); and
- (ii) First providing to the engineer copies of all plans and specifications with respect to such work or construction.

In any event no materials or substances of any kind, which in the opinion of the Lessor's engineer would endanger the safety of the roof of the Burnaby Mountain Reservoir or any other reservoir on the Premises, or the purity of the water stored therein, or which in his opinion would interfere with the operation of the Burnaby Mountain Reservoir and appurtenances or any other reservoir and appurtenances either future or existing on the Premises, shall be brought, stored or allowed to remain on any portion of the Premises.

ITEM 19
MANAGER'S REPORT NO. 9
COUNCIL MEETING Feb. 7/77

ITEM 2
ADMINISTRATOR'S REPORT NO. 3
COMMISSION MEETING FEB. 2/77

Lessor from and against all claims, demands, losses, costs, liens, damages, actions, proceedings, suits and other proceedings by whomsoever made, brought or prosecuted whatsoever and more particularly but without in any way limiting the generality of the foregoing the Lessee covenants that it will indemnify and hold harmless and keep indemnified and held harmless the Lessor from and against all claims, demands, losses, costs, liens, damages, actions, proceedings, suits and other proceedings brought by reason of or arising out of the use of the Premises for recreational and park purposes.

Holding
Over

16. Provided always and it is hereby agreed by and between the Lessor and the Lessee that if the Lessee shall hold over after the determination of the term hereby granted and the Lessor shall accept rent the new tenancy thereby created shall be a tenancy from month to month and not from year to year, and shall be subject to the covenants and conditions herein contained sofar as the same may be applicable to a tenancy from month to month and shall be determined by one month's notice in writing.

Costs

17. The Lessee shall pay all costs including legal fees and disbursements with respect to the preparation and execution of this lease agreement.

Termina-
tion

18. The Lessor and Lessee mutually covenant and agree that after the 31st day of December, 1986 the tenancy hereby created may be terminated by either party hereto upon giving sixty (60) days written notice of its intention to terminate, such termination to be effective as of the sixtieth day from the date of delivery of such notice.

Notice

19. Any notice to be served hereunder shall be served by prepaid registered mail addressed to the Lessor or the Lessee at the addresses first above mentioned or at such other address as the party concerned may advise or by personal delivery at such address as aforesaid. Any notice served by mail shall be deemed to have been delivered on the second day after posting.

ITEM 19
MANAGER'S REPORT NO. 9
COUNCIL MEETING Feb. 7/77

ITEM 2
ADMINISTRATOR'S REPORT NO. 3
COMMISSION MEETING FEB. 2/77

20. Wherever the singular or the masculine is used in this indenture, it shall be deemed to include the plural or the **174** feminine or the body politic or corporate; also the parties hereto shall be deemed to include the successors and permitted assigns of the respective parties hereto and each of them.

IN WITNESS WHEREOF the Lessor and the Lessee have hereunto caused their respective corporate seals to be affixed under the hands of their respective proper officers duly authorized in that behalf as of the day and year first above written.

The Corporate Seal of GREATER)
VANCOUVER WATER DISTRICT was)
hereunto affixed in the)
presence of:)
)
)
_____)
)
)
_____)
)

The Corporate Seal of THE)
CORPORATION OF THE DISTRICT)
OF BURNABY was hereunto)
affixed in the presence of:)
)
)
_____)
)
)
_____)
)