

ITEM	11
MANAGER'S REPORT NO.	58
COUNCIL MEETING	1978 08 28

RE: WATERCOURSE
SUBDIVISION REFERENCE #25/78

Following is a report from the Director of Planning on a proposal to retain a watercourse in its existing condition.

RECOMMENDATION:

1. THAT authority be given to retain the watercourse which traverses the northeasterly portion of the subject lot in its existing condition subject to the registration of a Right-of-Way plan and agreement as outlined in the Director of Planning's report.

* * * * *

PLANNING DEPARTMENT
1978 AUGUST 23

TO: MUNICIPAL MANAGER
FROM: DIRECTOR OF PLANNING
RE: SUBDIVISION REFERENCE #25/78 - WATERCOURSE

Council has directed that the treatment of watercourses in all developments be reported on by the Planning Department.

In the subject subdivision, an existing watercourse traverses the northeasterly portion of the site, as shown on the attached sketch. A site visit which was conducted revealed that the watercourse is well defined and stable. It has an attractive appearance and provides an enhancing amenity for the property. The applicant will be constructing a new office building on the southwesterly portion in connection with the existing truck terminal. Therefore, we would recommend that the watercourse remain in its existing condition.

The Municipal Engineer concurs with this recommendation provided that the owner enters into a Right-of-Way agreement with the Municipality granting the Municipality the right to drain water into the watercourse (the watercourse area being defined on a Right-of-Way plan), to lay pipes and construct works in the watercourse, to go upon the land to inspect the watercourse and any works therein but providing that the Municipality has no duty or obligation to exercise any or all of the rights granted and providing further that the owner shall not build upon or construct works in the watercourse without consent, and shall not foul, obstruct, or impede the flow of water in the watercourse, and shall maintain it in good and reasonable repair and shall repair it upon demand in writing by the Municipality. The agreement would contain an additional clause in which the Grantor would covenant and agree to indemnify and save harmless the Municipality from and against all claims and demands for a variety of reasons and causes. Such an agreement will be prepared, executed and registered together with a right-of-way plan. The Municipal Engineer will be providing us with an easement width necessary to protect this area.

RECOMMENDATION:

THAT Council authorize the retention of the watercourse in its existing condition subject to the registration of a Right-of-Way plan and agreement as outlined above.

CW:nd
Att.
cc: Municipal Engineer
Municipal Collector

A. L. Parr,
DIRECTOR OF PLANNING

125

ITEM	11
MANAGER'S REPORT NO.	58
COUNCIL MEETING	1978 08 28

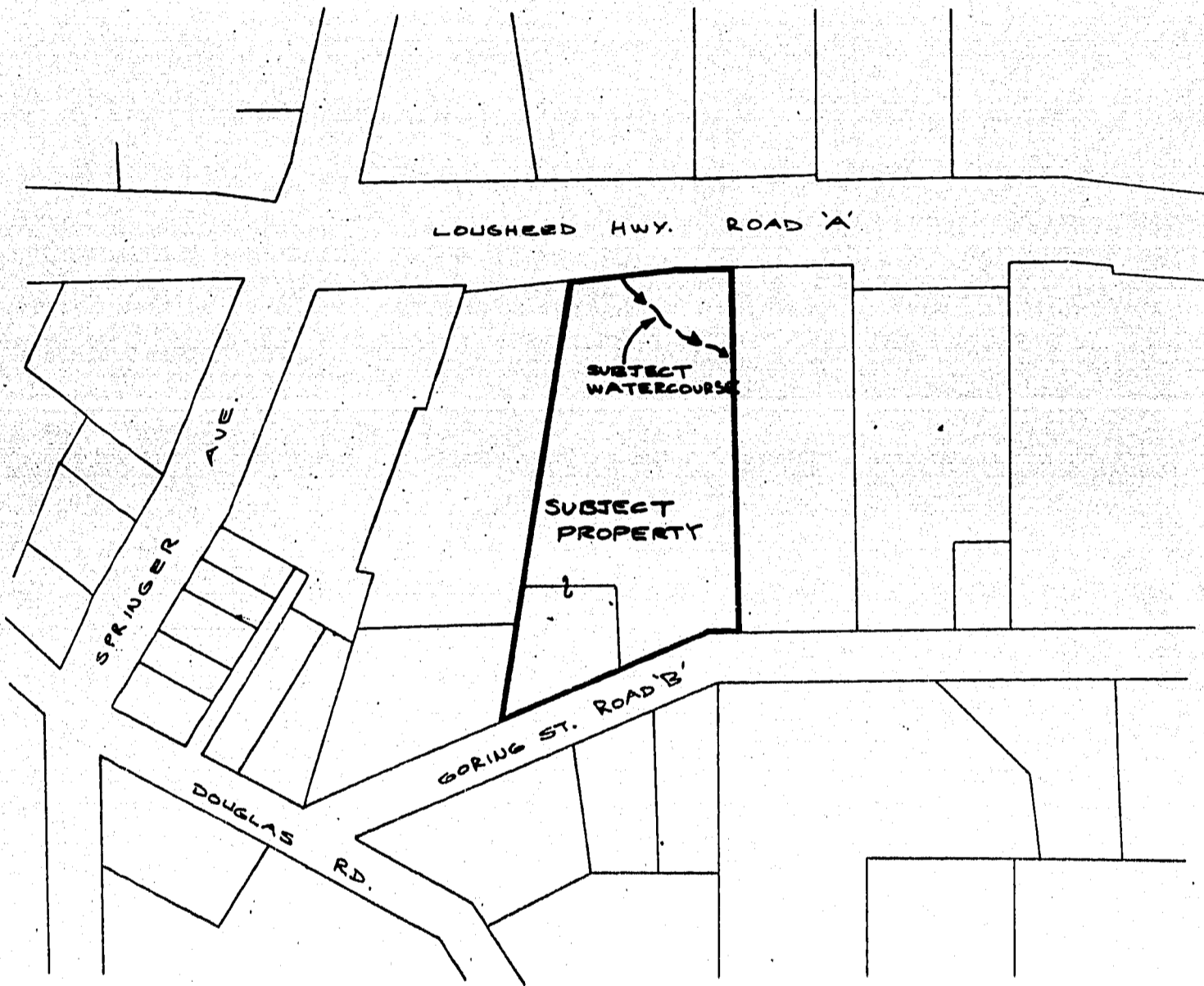
S.D. REF. #25/78

X. REF. P.P.A. # 4436

126

D.L. 125'
 BLK. 7
 S.D. C1D
 LOT 2 exc. EX. PL. 12164
 PCL. A EX. PL. 12164 OF LOTS 2 & 3
 PLAN 5139

ZONING: M6



NOTE: ① SURVEYOR'S PLOT PLAN REQUIRED TO ACCURATELY LOCATE CENTRE LINE OF WATERCOURSE AND TOP OF BANKS.
 ② SUITABLE LANDSCAPE PLAN REQUIRED FOR WATERCOURSE ALIGNMENT.
 ③ WATERCOURSE TO BE RETAINED IN ITS EXISTING NATURAL CONDITION AND PROTECTED VIA AN EASEMENT.

SCALE 1" = 200'
 MARCH '78 G.W.