

ITEM	12
MANAGER'S REPORT NO.	58
COUNCIL MEETING	1978 08 28

RE: WATERCOURSE TREATMENT
REZONING REFERENCE #7/78, SUBDIVISION REFERENCE #67/78
5502 LOUGHEED HIGHWAY

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 in a north-south direction through the westerly 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.

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PLANNING DEPARTMENT
1978 August 23

TO: MUNICIPAL MANAGER
FROM: DIRECTOR OF PLANNING
SUBJECT: WATERCOURSE TREATMENT
REZONING REFERENCE # 7/78, SUBDIVISION REFERENCE # 67/78
5502 LOUGHEED HIGHWAY

1.0 BACKGROUND INFORMATION

- 1.1 On 1978 July 04, Council gave Third Reading to the subject rezoning request involving the proposed construction of an addition to the existing bowling facility to accommodate a racquetball complex and an extension to the existing restaurant and lounge.
- 1.2 Pursuant to the direction of Council, the treatment of all watercourses in all developments must be reported on by the Planning Department.

2.0 GENERAL COMMENTS

The existing watercourse runs in a north-south direction through the westerly portion of the subject development site and is contained within a well defined and stable man-made channel approximately 2 metres (6 ft.) wide (per attached sketch). Abundant natural vegetation including numerous deciduous trees occupy the banks of the watercourse which forms an attractive landscaped area of approximately 7 metres (21 ft.) in width. This watercourse represents a small section of a well defined system that originates in the higher elevations of the North Burnaby area and eventually flows into the Still Creek facility located in the Central Valley area. As

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such, much of this system remains in a natural open condition except for culverting under the Lougheed Highway and Goring Avenue. The Planning Department is of the opinion that this watercourse provides an enhancing amenity for the property and the immediate area and we would therefore recommend that it be maintained 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 provide information regarding the appropriate easement width required.

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.

A. L. Parr
DIRECTOR OF PLANNING

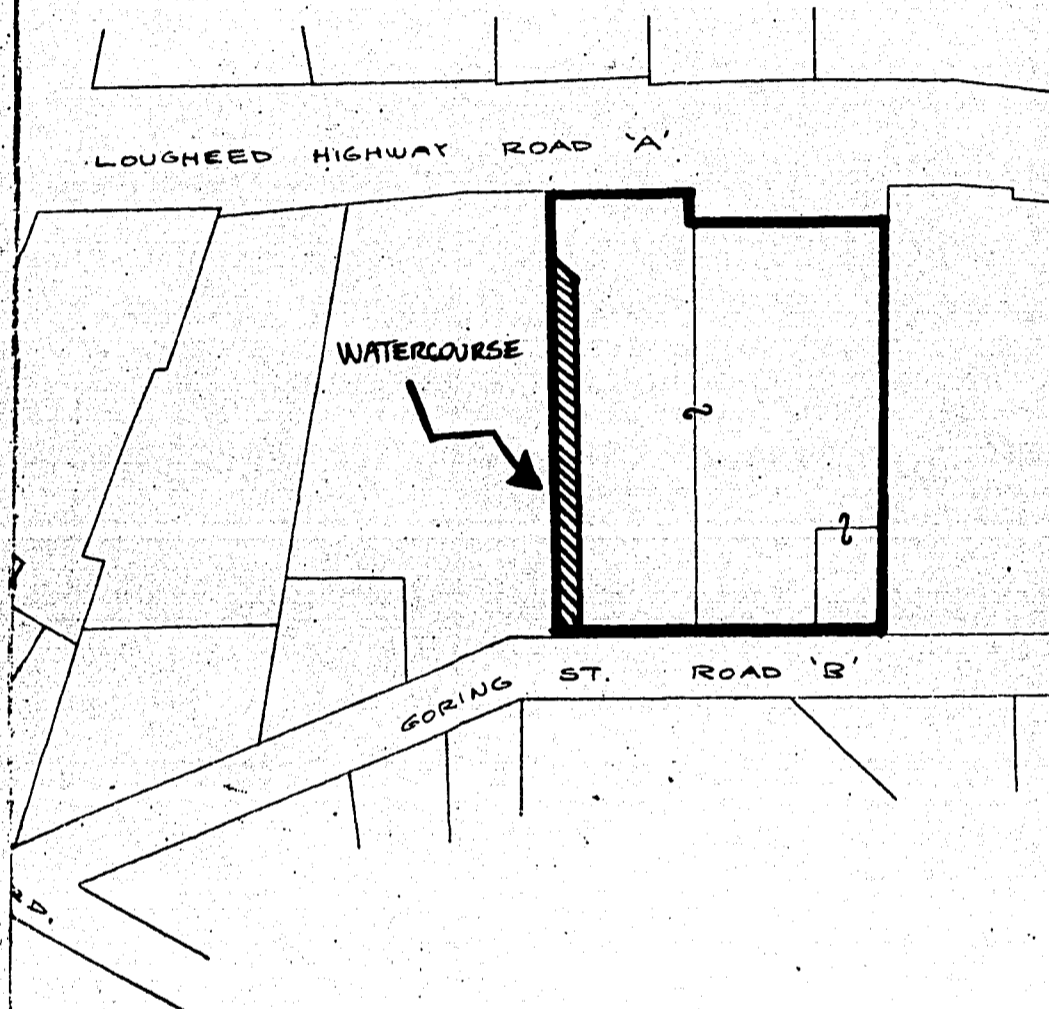
PDS/nb
att.
cc: Municipal Engineer
Municipal Solicitor

BOS PL. 3436
EX. PL. 14805 PL. 3436

X.R.G.F. R.Z. REF.# 7/7

PROPOSED ZONING: P2, R24M2

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DEDICATIONS WHICH MAY BE
WILL BE SHOWN PRIOR TO THE
TENTATIVE APPROVAL OF SUBDIVISION.

Date
AUG/78

Scale
1:2400

Drawn By



Burnaby Planning Department



WATERCOURSE RZ# 7/78 SD.# 67/78