

ITEM	12
MANAGER'S REPORT NO.	50
COUNCIL MEETING	91/09/03

TO: MUNICIPAL MANAGER 1991 August 28

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **Lot 133, D.L. 74, Plan 39624**  
**3755 Banff Avenue**  
**HYDRO RIGHT-OF-WAY PLAN NO. 71208**

PURPOSE: To obtain Council authority to the granting of a modification to an existing right-of-way in favour of B.C. Hydro & Power Authority.

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**RECOMMENDATION:**

1. THAT Council authorize the execution of an agreement to modify the existing right-of-way plan No. 71208 in favour of B.C. Hydro & Power Authority under the terms outlined in Section 2.0 of this report.
2. THAT a copy of this report be forwarded to Mr. David Jang, Service Planner, B.C. Hydro & Power Authority, Lower Mainland North, 4940 Canada Way, Burnaby, B.C. V5G 4K6.

**R E P O R T**

**1.0 BACKGROUND:**

B.C. Hydro and Power Authority wish to modify an existing right-of-way currently registered against the subject municipally-owned property. This property is leased by the Municipality to the Burnaby Association for the Mentally Handicapped.

This right-of-way (Plan No. 71208) is shown on the attached sketch and protects an existing overhead hydro line. As can be noted in the attached copy of a letter dated 1991 August 22 from B.C. Hydro, the present right-of-way agreement provides for overhead wiring only. B.C. Hydro will be installing new underground connections to service the building on the subject lot as well as future development on the adjacent site to the east and will require a modification to the agreement to permit the installation of underground wiring within this right-of-way.

The move toward use of underground wiring is supportive of the initiatives taken by Burnaby to promote and to require underground servicing in new subdivisions and development projects.

**2.0 TERMS OF NEW RIGHT-OF-WAY AGREEMENT:**

The Planning and Building Department has no objections to the provision of a new right-of-way agreement which permits both overhead and underground wiring, as proposed by B.C. Hydro, provided the existing agreement is discharged. We have received B.C. Hydro's verbal agreement to this approach.

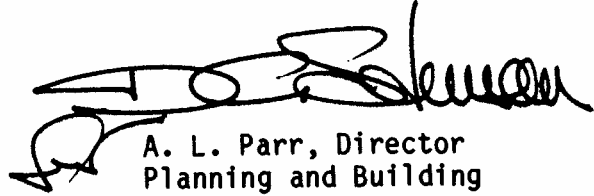
The Solicitor has reviewed B.C. Hydro's proposed new agreement and is satisfied with the document as presented.

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**3.0 CONCLUSIONS:**

We are, therefore, seeking Council authority pursuant to subsection (2) of Section 539 of the Municipal Act whereby Council may, by resolution (needs an affirmative vote of at least 2/3 of all Council members), grant rights-of-way over property owned by the Municipality.

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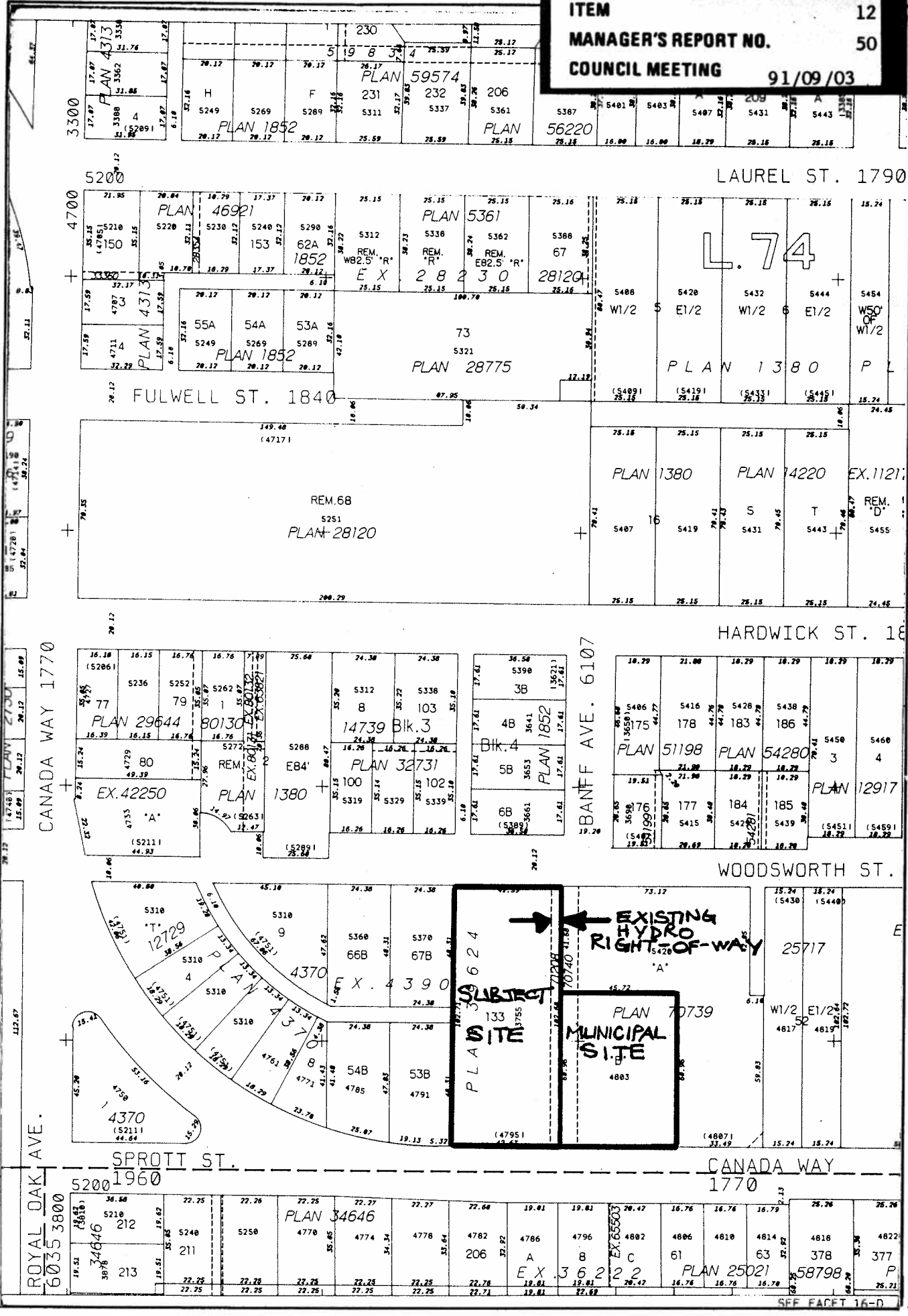


A. L. Parr, Director  
Planning and Building

CMM:hr  
Atts.

cc: Municipal Solicitor  
Director Engineering

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Date: 1991 AUG.  
 Scale: 1:2000 M  
 Drawn By: C.M.M.



NEW RIGHT-OF-WAY IN FAVOUR OF B.C. HYDRO AT 3755 BANIFF AVE.



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Lower Mainland North  
Burnaby  
4940 Canada Way-201B  
Burnaby, B.C.  
V5G 4K6

134

FAX 293-7724  
GST R121454151

22 August 1991

The Corporation of the  
District of Burnaby  
Planning Department  
4949 Canada Way  
Burnaby, B.C.  
V5G 1M2

Attn: Ms. Candy Matheson

Dear Madam:

**NEW STATUTORY RIGHT-OF-WAY  
AT 3755 BANFF AVE., BURNABY**

This is to further our telephone conversation of  
21 August 1991.

Existing Statutory Right-of-Way (SRW PLAN 71208), at  
the above address, only covers B.C. Hydro overhead plant.  
With the new underground service at 3755 Banff Avenue,  
provisions have been made at the pad mounted transformer for  
future service to 4803 Canada Way (Future Firehall).  
Therefore, it is necessary to have a new Statutory  
Right-of-Way to cover B.C. Hydro underground plant located  
within the existing O/H Statutory Right-of-Way.

The new Statutory Right-of-Way simply modifies the  
existing Statutory Right-of-Way Plan 71208 to include new  
B.C. Hydro underground plant.

If you have any questions, please call me at 293-7712.

Yours Truly,

A handwritten signature in cursive script that reads "David Jang".

David Jang  
Service Planner

DJ/tjm