

ITEM	22
MANAGER'S REPORT NO.	44
COUNCIL MEETING	93/07/12

TO: CITY MANAGER 1993 JULY 07

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #44/91
SUBDIVISION REFERENCE #10/93
3900 BLOCK ALBERT STREET
LOT A, D.L. 116, PLAN (UNREGISTERED)
REQUESTED B.C. HYDRO AND B.C. TEL RIGHT-OF-WAY

PURPOSE: To obtain authority to the granting of a right-of-way in favour of B.C. Hydro and Power Authority and B.C. Telephone Company.

RECOMMENDATION:

1. THAT Council authorize the execution of a right-of-way in favour of B.C. Hydro and Power Authority and B.C. Telephone Company under the terms outlined in Section 2.0 of this report.

REPORT

1.0 BACKGROUND

One of the prerequisite conditions of Rezoning Reference #44/91 for a proposed townhouse development, given Third Reading by Council on 1993 May 10, is the undergrounding of existing overhead wiring abutting the site along the lane. The move toward use of underground wiring supports the initiative taken by Burnaby to promote and to require underground servicing in new rezoning and subdivision projects. Where it is not possible to underground wiring at this time, monies are submitted for underground ducting to accommodate future undergrounding of the line.

In this case, as the attached sketch indicates, in order to fulfill the rezoning prerequisite, the most efficient connection lies to the west of project, entailing the undergrounding of wires along the intervening proposed Lot "A", which is City owned and designated to be redeveloped as a public parking lot, to proposed Lots B and C, which are privately owned and the subject of the rezoning. The overall cost to the appropriate connection is being handled by the developer to fulfill the necessary responsibility of completing the prerequisite, with the City assisting by granting the required easement.

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2.0 TERMS OF RIGHT-OF-WAY AGREEMENT

The Planning and Building Department has no objections to the provision of this right-of-way.

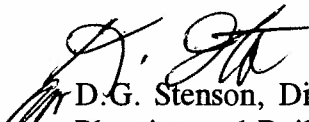
The City Solicitor has reviewed the joint Hydro/Telephone agreement which is considered satisfactory with a couple of minor modifications presently being pursued.

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 City.



FA/BW:yg



D.G. Stenson, Director
Planning and Building

Attach.

cc: City Solicitor
Director Administrative & Community Services
Director Engineering
Subdivision Reference #10/93

