

ITEM	7
MANAGER'S REPORT #	33
COUNCIL MEETING	95/07/10

TO: CITY MANAGER

1995 July 04

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: SUBDIVISION REFERENCE #38/94
REZONING REFERENCE #14/94
4401 STILL CREEK DRIVE
Granting of an Easement

PURPOSE: To obtain Council's authority to the granting of an easement in favor of Slough Estates Canada Limited.

RECOMMENDATION:

1. **THAT** Council authorize execution of an easement in favour of Slough Estates Canada Limited under the terms outlined in this report.

REPORT

1.0 BACKGROUND:

The subject property has received Third Reading of a rezoning amendment bylaw on 1995 June 26 in order to develop a three-storey office/warehouse.

During the review process it was found that the pedestrian bridge of steel and wood over the watercourse and portions of the public gravel pathway adjacent the site had been built on City-owned property without specific City approval and not constructed to Burnaby's standards (see *attached* easement plan). However, they have been constructed for some time and are considered a useful amenity in the area.

2.0 CURRENT SITUATION:

Based on the above, it is proposed that the footbridge and pathway remain in their present location, and covered by an easement, with the following terms to be included in the agreement:

- a) The owner is to accept liability and maintenance related to the bridge and path.

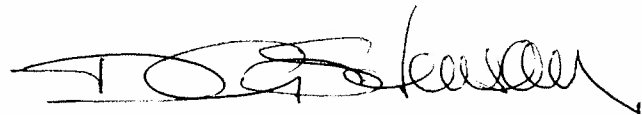
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- b) Continued public access is to be permitted over the bridge and path.
- c) The City will have a right to remove these works if they are considered hazardous.
- d) Any reconstruction or further construction work is to be to the Director Engineering's approval.

3.0 CONCLUSION:

We are, therefore, seeking Council authority pursuant to 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 an easement over property owned by the City.

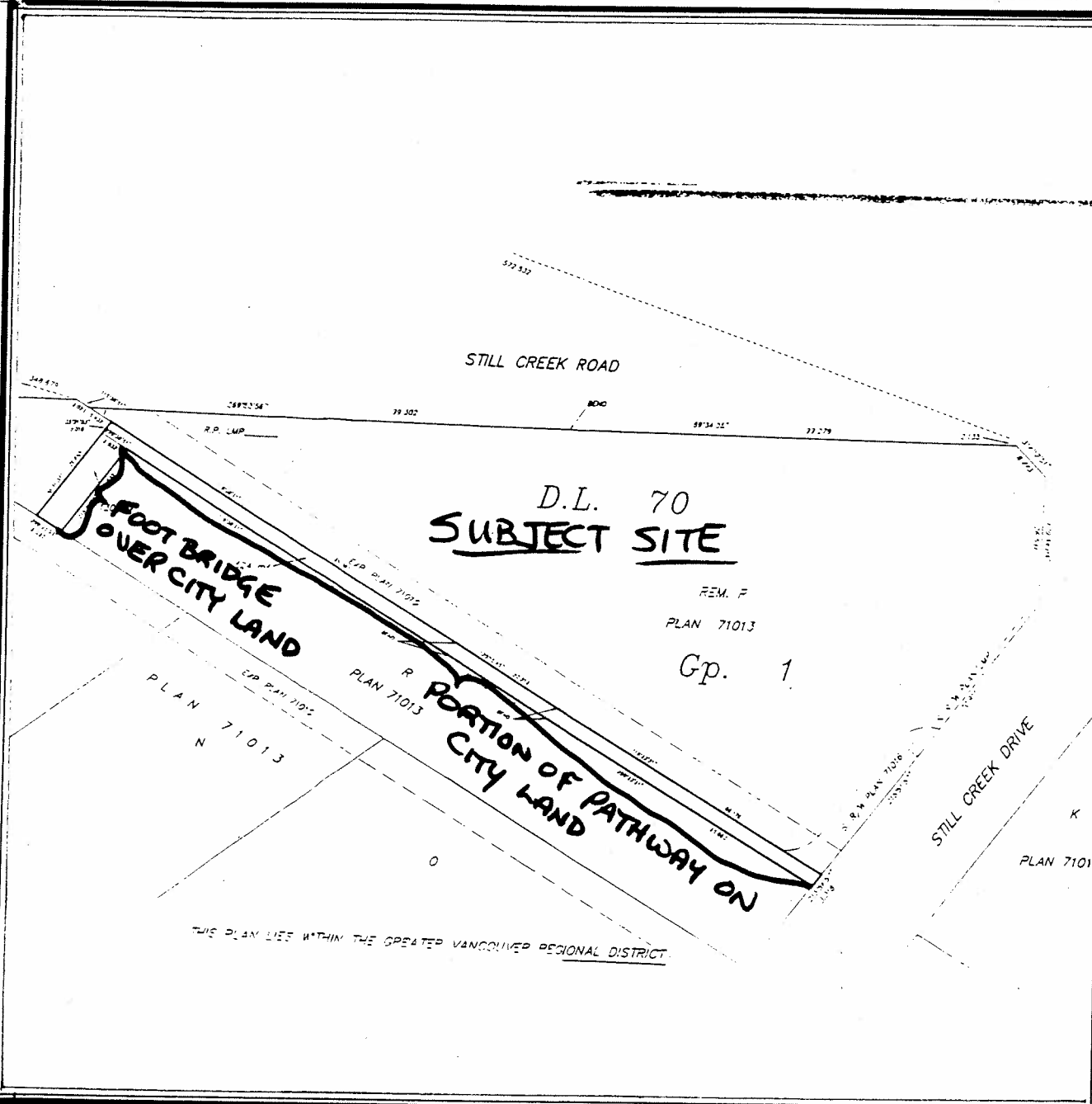


D. G. Stenson
DIRECTOR
PLANNING AND BUILDING

CS:hr

cc: City Solicitor
Director Engineering

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Date:
1995 JUNE

Scale:
N.T.S.

Drawn By:



City of
Burnaby
Planning & Building Dept

EASEMENT PLAN

SUBDIVISION REF. #38/94
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