

**TO:** CITY MANAGER January 27, 2000  
**FROM:** DIRECTOR PLANNING AND BUILDING OUR FILE: 08.640-L  
**SUBJECT:** AGREEMENT WITH STABURN PROPERTIES LTD.  
FOR TRANSFER OF PROPERTY REQUIRED FOR THE  
RECONSTRUCTION OF THE LOUGHEED HIGHWAY AT MADISON

**PURPOSE:** To request Council approval to an agreement for the dedication of property owned by Staburn Properties for road right of way for the reconstruction of the Lougheed Highway at Madison

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**RECOMMENDATION:**

1. **THAT** Council approve the agreement with Staburn Properties for the dedication of property required for the reconstruction of the Lougheed Highway as shown in *Figure 1 attached* under the terms and conditions as noted in this report.
2. **THAT** a copy of this report be forwarded to J. Wren, Staburn Properties Ltd.

**REPORT**

**1.0 BACKGROUND**

At its regular meeting of 1999 April 12, Council approved an approach to acquire necessary property to permit Appia Developments (currently undertaking the redevelopment of the former Lougheed Hotel site) to widen the north side of the Lougheed Highway from west of Madison to east of Rosser. The City's obligations under this approach involved the installation of a traffic signal at the intersection of Lougheed Highway and Madison Avenue in return for the dedication of property required from the Staples Office Supply store site currently owned by Staburn Properties Ltd. This report presents for the consideration of Council the terms of an agreement with Staburn Properties for dedication of this property.

**2.0 TERMS AND CONDITIONS**

**2.1 Terms and Conditions Applying to Staburn Properties Ltd.**

In return for the installation of the traffic signal at the intersection of Lougheed Highway and Madison, Staburn Properties Ltd. (Staburn) agrees to the following:

1. To dedicate or convey at no cost to the City, the portion of the Staburn property as shown on **Figure 1 attached** at 4625 Lougheed Highway to the City of Burnaby for reconstruction of the Lougheed Highway.
2. To authorize the City of Burnaby or its agents to enter the Staburn property to conduct site surveys, to reconstruct the parking lot including but not limited to the storm drains, oil interceptor, catch basins, fire protection sprinkler system, curbs and landscaping.
3. To provide a temporary working easement during the final reconstruction of the intersection by Appia Developments Ltd.
4. To undertake initial groundwater monitoring as required by the Ministry of Environment, Lands and Parks to detect the probability of migration of the soil contaminants to water bodies nearby. The results of these studies are to be forwarded to the Ministry of Environment, Lands and Parks and the City of Burnaby for review.

## **2.2 Terms and Conditions Applying to the City of Burnaby**

In return for the dedication of the area shown in **Figure 1 attached**, the City of Burnaby agrees to the following:

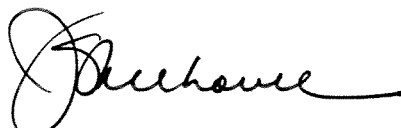
1. The installation of a traffic signal and opposing left turn lanes at the intersection of Lougheed and Madison. Pursuant to the Council report of 1999 April 12, this work was completed as of 1999 October 31.
2. That the left-turn access from Madison onto the Staburn property at both the lower and upper levels will not be eliminated or interfered with. If the City eliminates the left turn access in the future, the owner would be entitled to claim for injurious affection (diminution of the value of the land) resulting from elimination of the left turn access. The City's obligation in this regard would end on any redevelopment of the site by the owner or on an owner-initiated application for rezoning.
3. That the construction of road works on Lougheed and Madison by Appia Developments or its agents will, when commenced after reasonable prior notice, be expeditiously and continuously conducted so that interference with any tenant or other occupant of the Staburn property will be minimized. In this regard, Staburn will require that all of the property driveways on both Lougheed and Madison will be open and available for both ingress and egress from July 31 to September 30 during any year that construction takes place. At


any other time during construction of the road works on Lougheed and on Madison, one driveway could be temporarily closed during reconstruction of the driveway itself. This matter will be monitored by City staff.

4. That the gradient of the driveway to Staples from Madison Avenue must be acceptable to Staburn Properties Ltd. following a review of proposed grades by Staburn's engineering consultants so that ingress and egress gradients of the Staburn Property's driveways do not adversely affect the operation, the usage or the convenience of the driveway.
5. That the driveway on the Lougheed Highway will be maintained in its current configuration with the existing range of traffic movements (right in - right out).
6. That the work required on the Staburn property will include those elements noted on *Figure 2 attached*. All road works done on the property (plus associated soft costs) will be done at no cost to Staburn but Staburn will be responsible for their own legal fees.
7. That the finished lower parking lot will provide forty parking spaces and two loading bays (the third loading bay will be on the upper parking lot).

### 3.0 CONCLUSION

As reconstruction of the Lougheed Highway by Appia Developments will commence early this year, the dedication of property for road right of way is required to be completed as soon as possible. The terms and conditions as outlined in this report for the transfer of the required property have been agreed to by Staburn Properties and are recommended for approval by Council.

  
D.G. Stenson, Director  
PLANNING & BUILDING

  
RG/dh  
Attachments

cc. Deputy City Manager Corporate Services  
Director Engineering  
Director Planning and Building

PLAN

REFERENCE PLAN OF PART OF LOT "B",  
D.L. 119, GP. 1, N.W.D., PLAN 11285  
PURSUANT TO SECTION 107(1) (a) L.T.A.  
B.C.G.S. 92G.025

Scale 1 : 500

Integrated Survey Area No. 25, Burnaby, NAD 83 (CSRS).  
All distances are in metres.  
Grid Bearings are derived from observations between  
control monuments 81H4597 and 77H6767.

This plan shows ground level measured distances.  
Prior to computation of UTM coordinates, multiply  
by combined factor of 0.999959900.

Legend

- ⊙ denotes control monument found.
- denotes standard iron post found.
- denotes lead plug found.
- denotes standard iron post placed.
- N.T.S. denotes not to scale.

Owner as to  
charge No. BY45092:  
Canadian National Railway Company

Authorized Signatory \_\_\_\_\_  
Witness \_\_\_\_\_  
Address \_\_\_\_\_  
Occupation \_\_\_\_\_

Approved under the Land Title Act  
this day of . 19 .

Approving Officer,  
City of Burnaby

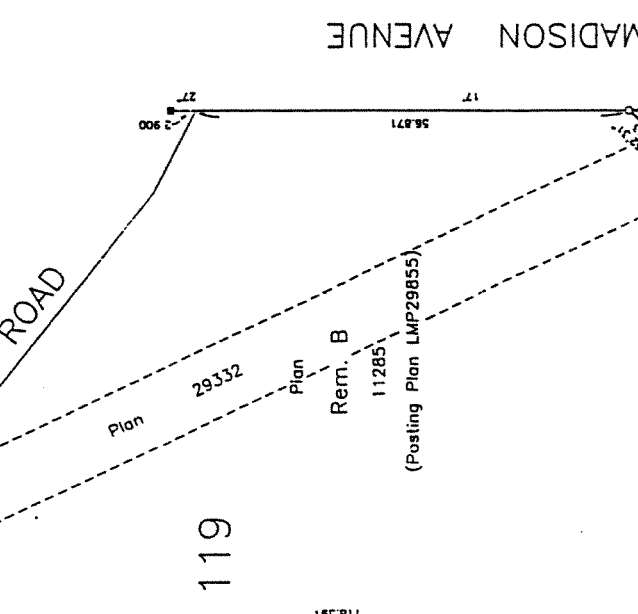
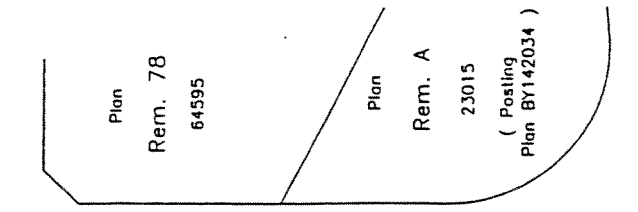
Owner:  
Staburn Properties Ltd.  
(Inc. No. 513522)

Authorized Signatory \_\_\_\_\_  
Witness \_\_\_\_\_  
Address \_\_\_\_\_  
Occupation \_\_\_\_\_

Deposited in the Land Title Office  
at New Westminster, B.C., this  
day of . 19 .

Registrar

DOUGLAS ROAD  
BUCHANAN ST.



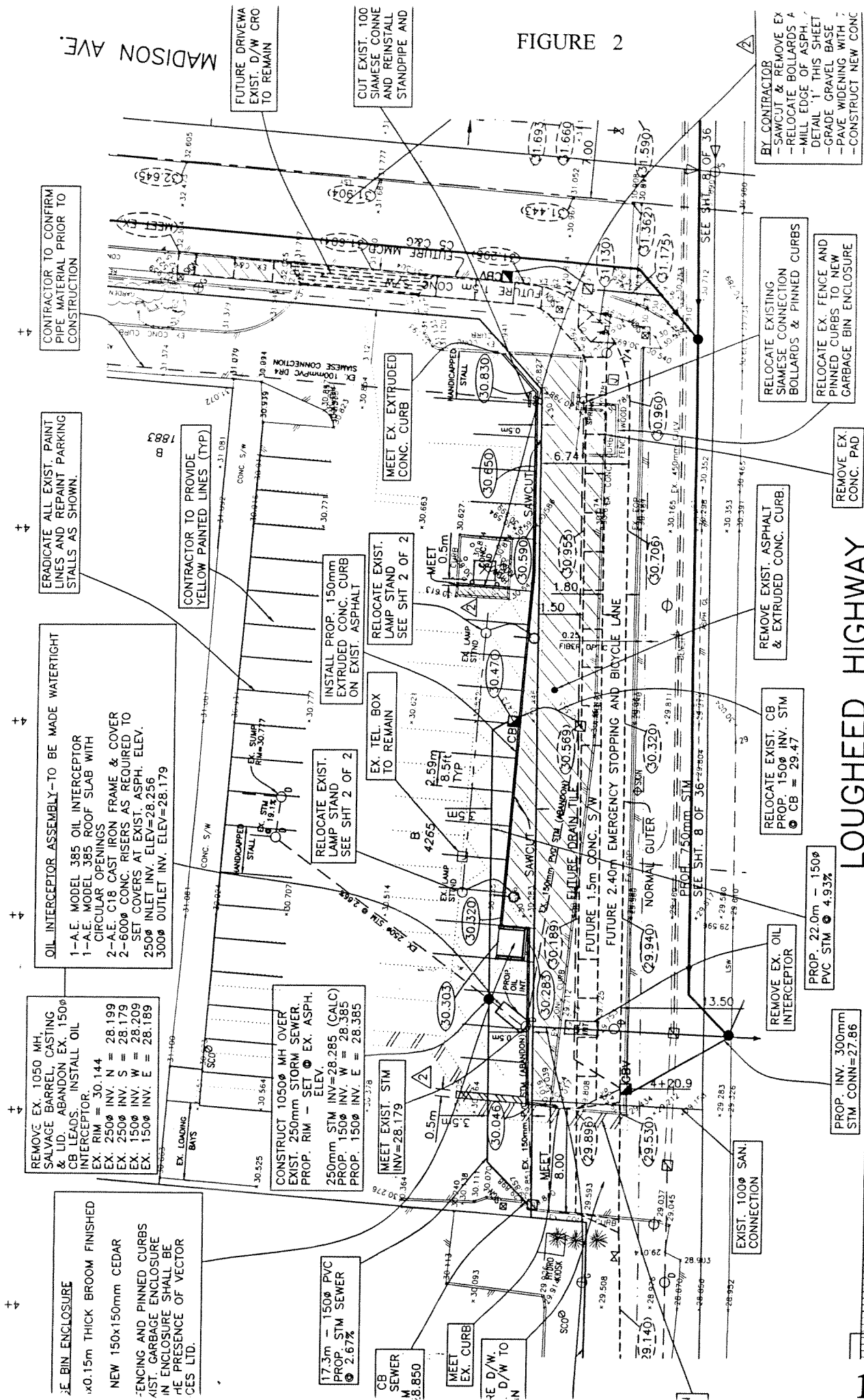
Ref. Plan LMP41971

HIGHWAY

LOUGHEED

I, G.N. Holme, a British Columbia  
Land Surveyor of Burnaby, in British Columbia  
certify that I was present at and personally  
superintended the survey represented by this  
plan and that the survey and plan are correct.  
The said survey was completed on the 14<sup>th</sup>  
day of June, 1999.

FIGURE 2



**OIL INTERCEPTOR ASSEMBLY - TO BE MADE WATERTIGHT**

- 1-A-E. MODEL 385 OIL INTERCEPTOR
- 1-A-E. MODEL 385 ROOF SLAB WITH CIRCULAR OPENINGS
- 2-A-E. C18 CAST IRON FRAME & COVER
- 2-600mm CONC. RISERS AS REQUIRED TO SET COVERS AT EXIST. ASPH. ELEV.
- 250mm INLET INV. ELEV.=28.256
- 300mm OUTLET INV. ELEV.=28.179

REMOVE EX. 1050 MH, SALVAGE BARREL, CASTING & LID. ABANDON EX. 150mm CB LEADS. INSTALL OIL INTERCEPTOR.

EX. RIM = 30.144  
 EX. 250mm INV. N = 28.199  
 EX. 250mm INV. S = 28.179  
 EX. 150mm INV. W = 28.209  
 EX. 150mm INV. E = 28.189

**EX. BIN ENCLOSURE**

x0.15m THICK BROOM FINISHED NEW 150x150mm CEDAR FENCING AND PINNED CURBS INST. GARBAGE ENCLOSURE IN ENCLOSURE SHALL BE THE PRESENCE OF VECTOR CES LTD.

CONSTRUCT 1050mm MH OVER EXIST. 250mm STORM SEWER. PROP. RIM - SET @ EX. ASPH. ELEV.

250mm STM INV.=28.285 (CALC)  
 PROP. 150mm INV. W = 28.385  
 PROP. 150mm INV. E = 28.385

MEET EXIST. STM INV.=28.179

17.3m - 150mm PVC PROP. STM SEWER @ 2.67%

CB SEWER M.850

MEET EX. CURB

MEET EX. D/W. D/W TO

EXIST. 1000 SAN. CONNECTION

REMOVE EX. OIL INTERCEPTOR

PROP. 22.0m - 150mm PVC STM @ 4.93%

PROP. INV. 300mm STM CONN.=27.86

RELOCATE EXIST. CB PROP. 150mm INV. STM @ CB = 29.47

REMOVE EXIST. ASPHALT & EXTRUDED CONC. CURB.

REMOVE EX CONC. PAD

RELOCATE EXISTING SIAMSESE CONNECTION BOLLARDS & PINNED CURBS

RELOCATE EX. FENCE AND PINNED CURBS TO NEW GARBAGE BIN ENCLOSURE

BY CONTRACTOR - SAWCUT & REMOVE EX - RELOCATE BOLLARDS A - DETAIL 1' THIS SHEET - GRADE WIDENING WITH - PAVE WIDENING WITH - CONSTRUCT NEW CONC

ERADICATE ALL EXIST. PAINT LINES AND REPAINT PARKING STALLS AS SHOWN.

CONTRACTOR TO PROVIDE YELLOW PAINTED LINES (TYP)

CONTRACTOR TO CONFIRM PIPE MATERIAL PRIOR TO CONSTRUCTION

FUTURE DRIVEWAY EXIST. D/W CRO TO REMAIN

CUT EXIST. 100 SIAMSESE CONNE AND REINSTALL STANDPIPE AND

**LOUGHEED HIGHWAY**

EX. ASPH. PARKING

FUTURE PARKING

BY OTHERS

