

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2005 November 2

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 49500 20
Reference: Rez 04-50

**SUBJECT: COST SHARING AGREEMENT
BYRNE CREEK URBAN TRAIL
X-REF. REZONING REFERENCE #04-50**

PURPOSE: To request Council approval for a cost sharing agreement for the development of a section of the Byrne Creek Urban Trail

RECOMMENDATIONS:

1. **THAT** Council authorize an expenditure not to exceed \$116,500 (inclusive of 7% GST) for the City share of costs related to development of a section of the Byrne Creek Urban Trail, as outlined in this report.
2. **THAT** Council authorize the execution of a cost-sharing agreement with Riverway Adera Projects Ltd. not to exceed \$116,500 for construction of the subject Urban Trail.

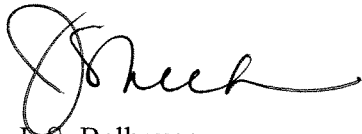
REPORT

On 2005 March 15, Council approved in principle the development of a cost sharing agreement with the applicant for Rezoning Reference #04-50 for the development of a section of the City's Byrne Creek Urban Trail on the east side of Byrne Creek adjacent to 5605 Byrne Road (see Sketch #1 **attached**). On 2005 May 02, Council gave Second reading to the development proposal for a multi-tenant, strata titled light industrial/office complex on the 3.08 hectare (7.61 acre) site at 5389 and 5577 Byrne Road. Third Reading was granted on 2005 September 19.

As a prerequisite condition of the subject rezoning application, the developer is responsible for the installation of the Byrne Creek Urban Trail adjacent to the subject project site at 5389 and 5577 Byrne Road within the City parkland containing Byrne Creek. To the south, this section of Urban Trail will transition into the existing walking path on the Byrne Creek dyke. With a City cost share contribution, the applicant has agreed to design and construct a further section of this Urban Trail to the north within the City parkland to connect to the section of the Byrne Creek Urban Trail to be constructed on Marine Way as part of pre-requisite conditions for Rezoning Reference #03-22 (see Sketch #1, **attached**). Provision for completion of the remaining sections of the Byrne Creek Urban Trail, both north of Marine Way to Marine Drive and south of the subject site to the CPR rail line, are provided for within the City's Capital Program, and are anticipated to be constructed in 2007.

To: City Manager
From: Director Planning and Building
Re: COST SHARING AGREEMENT
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The Director Engineering has acceptable design drawings for the urban trail and has estimated the City cost share component of the subject works at \$116,500, inclusive of 7% GST. Provision has been made for this expenditure in the adopted 2005 – 2009 Annual Capital Program, with approval for use of Casino Reserve Funds. This project has also been advanced for consideration in the upcoming 2006 – 2010 Provisional Capital Program. In order to finalize the servicing requirements for Rezoning Reference #04-50, this report requests Council approval for the execution of a cost sharing agreement with the developer, and for the associated expenditure for the subject section of the Byrne Creek Urban trail in accordance the approved 2005 – 2009 Capital Program.

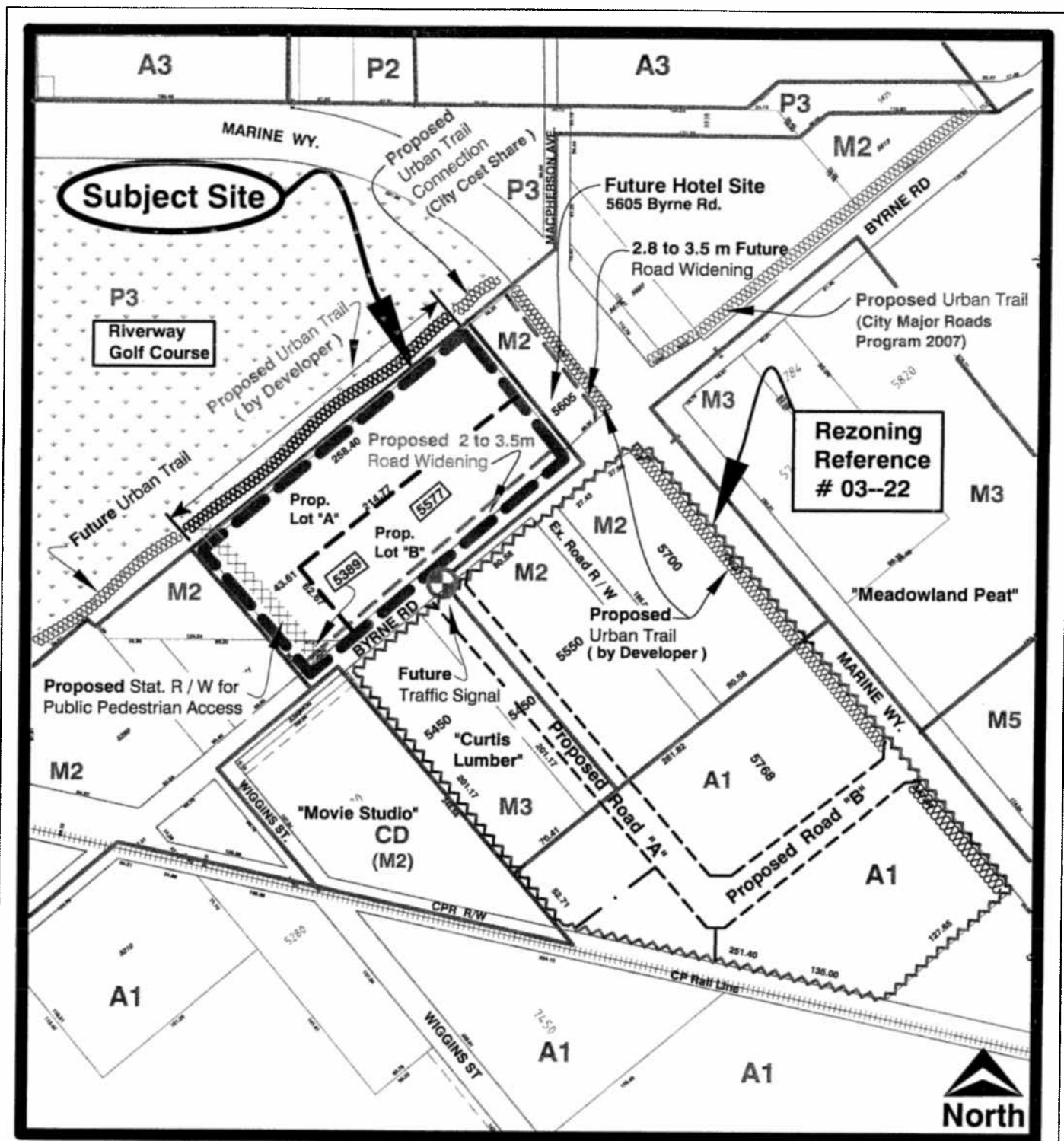


J. S. Belhouse
DIRECTOR PLANNING AND BUILDING

LP:gk
Attach

cc: Director Engineering
Director Finance
Chief Building Inspector
City Solicitor

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Planning and Building Department

Scale: N.T.S.

Drawn By: J.P.C.

Date: November 2005

REZONING REFERENCE #04 -- 50

5389,5577 Byrne Rd.

Sketch # 1

