

**DISTRICT OPERATIONS - BUSINESS SERVICES**  
**Reporting to Public Session, Tuesday, September 22, 2009**

**Bylaws 2009-04, 2009-05, 2009-06,  
2009-07, 2009-08, 2009-09 and 2009-10**

The City of Burnaby, as a result of the construction of the replacement of Burnaby Central Secondary School (shown on the attached two-page site plan) and as a condition of the City's Preliminary Plan Approval, requires that the Board grant a road dedication, statutory rights-of-way, restrictive covenants and an easement in favour of the City of Burnaby and to BC Hydro for the following purposes

Road Dedication (Bylaw 2009-04)

- To satisfy the road alignment requirement as established by the City and to accommodate future traffic flow growth on Deer Lake Parkway. The area of the road dedication is shown in yellow on the attached site map.

Statutory Right-of-Way (Bylaw 2009-05)

- To allow for the construction and maintenance of a portion of the City's planned public pedestrian and cyclist path and walkway (four metre wide asphalt urban trail) extending along Deer Lake Parkway from Gilpin Street to the northern leg of the entrance to City Hall. The proposed urban trail straddles the school district property line as highlighted in red on the attached site map.

Statutory Right-of-Way (Bylaw 2009-06)

- To allow for storm drainage services from Iris Road to the Deer Lake Parkway main drainage line. The existing ditch from Iris will be eliminated during the project and a new line on school district property is required to replace it. The attached site plan highlights the proposed right-of-way area in purple.

Section 219 Covenant (Bylaw 2009-07)

- The City requires a covenant for the group of trees located at the north-east corner of the site to be retained and protected. The area of this restrictive covenant is highlighted in light green on the attached map.

Section 219 Covenant (Bylaw 2009-08)

- The City requires a restrictive covenant for the protection, maintenance and setback requirements for a riparian area along the south-western portion of the site where there is currently a ditch which has been classified as a class B (nutrient supply)

stream. The area of this restrictive covenant is highlighted on the attached site plan in dark green.

#### Section 219 Covenant (Bylaw 2009-09)

- The City requires a restrictive covenant for the provision, utilization, maintenance and a three-year monitoring program for an on-site storm water management system. This covenant applies to the whole site and therefore no specific plan is attached.

#### Statutory Right-of-Way (Bylaw 2009-10)

- There is also a requirement for a statutory right-of-way in favour of BC Hydro for the existing overhead service which is currently accommodated on the Telus communications right-of-way through the riparian area. The area of the right-of-way is highlighted in gold on the attached site plan within the proposed riparian area.

Copies of the pro-forma bylaws, road dedication, rights-of-way and restrictive covenants are attached for reference.

#### Recommendation

It is recommended that Bylaws 2009-04, 2009-05, 2009-06, 2009-07, 2009-08, 2009-09 and 2009-10 receive three readings at this Board meeting and final adoption in accordance with the Board's Procedural Bylaw as follows:

- |          |  |
|----------|--|
| Motion 1 | THAT Bylaws 2009-04, 2009-05, 2009-06, 2009-07, 2009-08, 2009-09 and 2009-10 receive three readings at this Board meeting held September 22, 2009. |
| Motion 2 | THAT Bylaws 2009-04, 2009-05, 2009-06, 2009-07, 2009-08, 2009-09 and 2009-10 be read a first time.   |
| Motion 3 | THAT Bylaws 2009-04, 2009-05, 2009-06, 2009-07, 2009-08, 2009-09 and 2009-10 be approved a first time and read a second time.                      |
| Motion 4 | THAT Bylaws 2009-04, 2009-05, 2009-06, 2009-07, 2009-08, 2009-09 and 2009-10 be approved a second time and read a third time.                      |
| Motion 5 | THAT Bylaws 2009-04, 2009-05, 2009-06, 2009-07, 2009-08, 2009-09 and 2009-10 be approved a third time.   |

Motion 6

THAT Bylaws 2009-04, 2009-05, 2009-06, 2009-07, 2009-08, 2009-09 and 2009-10 having been read a first, second and third time, be finally passed and adopted the 22<sup>nd</sup> day of September, 2009; that the Chair of the Board and the Secretary-Treasurer be authorized to sign the bylaws; and that the bylaws be sealed with the corporate seal of the Board.