
TO: CHIEF ADMINISTRATIVE OFFICER **DATE:** 2022 May 12

FROM: ACTING GENERAL MANAGER PARKS,
RECREATION AND CULTURAL SERVICES **FILE:** 61100-20
Reference: Naheeno Park

**SUBJECT: NAHEENO PARK – ACTIVE TRANSPORTATION MULTI-USE PATH
ENCROACHMENT REQUEST (SFU)**

PURPOSE: To obtain Council consent for an encroachment into Naheeno Park to allow Simon Fraser University to install a multi-use path on University Drive to enhance cycling and pedestrian safety.

RECOMMENDATIONS:

1. **THAT** Council consent to a minor encroachment into Naheeno Park to facilitate Simon Fraser University's installation of an active transportation multi-use path on University Drive as described in this report.
2. **THAT** Council approve an amendment to Park Use Covenant and Right of Way BT474681 to permit a multi-use path and planted soil retaining wall within Naheeno Park as described in this report.
3. **THAT** a copy of this report be sent to the Burnaby Parks, Recreation and Culture Commission.

REPORT

1.0 INTRODUCTION

Simon Fraser University (SFU) intends to install a protected multi-use path (MUP) for cyclists and pedestrians on University Drive to enhance safety for active modes of transportation. Part of the proposed MUP infrastructure, including a planted soil block retaining wall, encroaches into Naheeno Park and consent from the City is required to carry out construction as outlined in this report.

2.0 POLICY SECTION

This project aligns with the following Council adopted policies and plans/strategies: SFU Official Community Plan, and Burnaby's Transportation Plan (2020).

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3.0 BACKGROUND

An Official Community Plan (SFUOCP) for the SFU lands was adopted by Burnaby City Council on 1996 September 09 along with a rezoning of the SFU site to P11 SFU Neighbourhood District zoning. Under the approved Plan, two market residential neighbourhoods (South and East) can be developed. The Plan includes provision for neighbourhood park space, retention of the 11.25 ha. Naheeno Ravine as a natural undeveloped park and resident access to SFU recreation facilities.

The OCP required that at the time of the first subdivision for a residential leasehold parcel, a co-terminus lease over Naheeno Park would be provided to the City at no cost. For a number of reasons, in 2001, on the recommendation of the Parks, Recreation and Culture Commission, City Council made the decision to defer entering into the lease for Naheeno Park. Instead, upon subdivision and creation of the legal parcel for Naheeno Park (Lot 1), the park remains under SFU's ownership and management and is protected through registration of a Park Use Covenant and Right of Way to administer the Park as a natural undeveloped park area and a statutory right-of-way for public access with an option for the City to lease the Park in future should it be determined in the City's best interest to do so.

Under the terms of the Park Use Covenant, SFU has the right to cut back vegetation and grass to ensure the safety of persons travelling on the road, but does not have the right to install pathway and retaining wall improvements within the park.

In line with the terms of the covenant, SFU requires the written consent of the City to encroach into Lot 1, Naheeno Park. If consent is granted by Council, an amendment to the covenant agreement to permit the proposed MUP and planted soil block retaining wall improvements to Naheeno Park will be prepared for signature and execution by both parties.

4.0 PROPOSED ENCROACHMENT

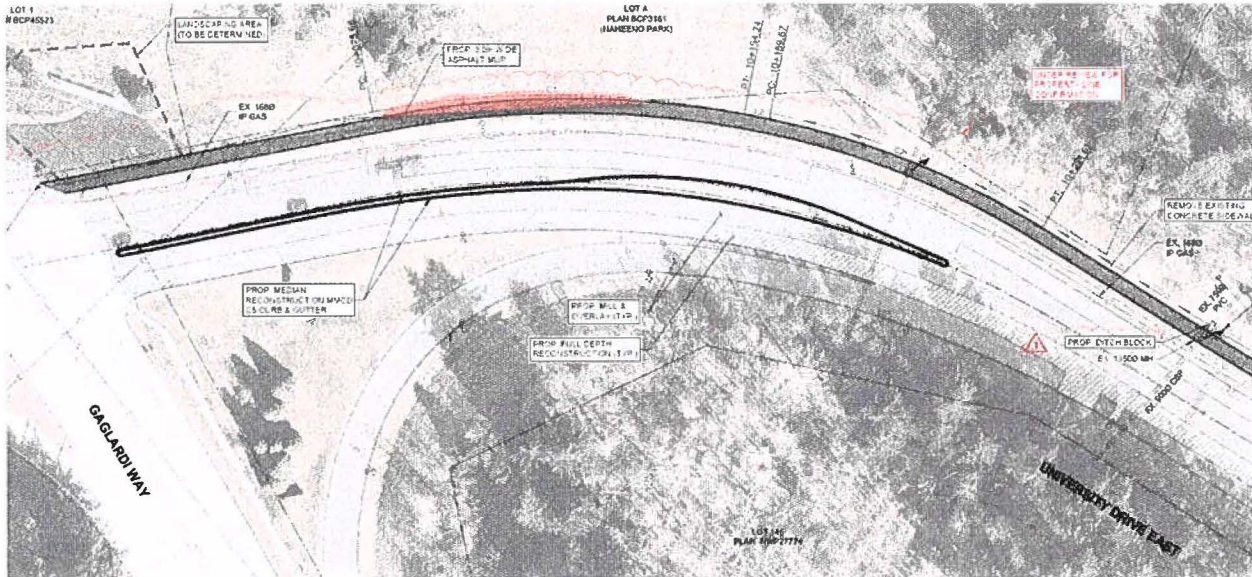
A small sliver of the MUP will encroach into Naheeno Park to allow for a boulevard to protect the MUP from vehicular traffic. The area of encroachment is shown as the red shaded area in the figure below. This area of the park is a sloped embankment adjacent to University Drive.

The length of the encroachment is approximately 67 m. and the depth of the of the encroachment will vary along this length to a maximum depth of approximately 7 m. tapering to 0 m. at either end.

The proposed works within the encroachment area include a portion of the 3 m. wide paved multi-use pathway backed by a 3 m. high planted soil block retaining wall along the upland sloped embankment.

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Staff have reviewed the designs and do not have any concerns with this encroachment. SFU has confirmed they will have responsibility for ongoing maintenance and repair of the MUP and planted soil block retaining wall.



5.0 RECOMMENDATION

Staff recommend that Council provide consent to SFU for encroachment into Naheeno Park to facilitate the installation of an active transportation multi-use path and retaining wall, and approve an amendment to Park Use Covenant BT474681 for these improvements, as described in this report.


Denis Nokony
ACTING GENERAL MANAGER
PARKS RECREATION AND CULTURAL SERVICES

Jl:ATS:ats:tc

Copied to: General Manager Engineering
City Solicitor