

TO : CITY MANAGER DATE: 1997 JANUARY 09
FROM : ACTING DIRECTOR RECREATION AND CULTURAL SERVICES
SUBJECT : KESWICK PARK - B.C. HYDRO & POWER AUTHORITY REQUEST FOR A STATUTORY RIGHT-OF-WAY
PURPOSE : To obtain Council authorization to execute an agreement of statutory right-of-way in Keswick Park requested by B.C. Hydro.

RECOMMENDATION:

1. THAT authorization be given to execute the agreement of Statutory Right-of-Way over a portion of Lot "A", Explanatory Plan 11875 in favour of B.C. Hydro & Power Authority under the terms and conditions outlined in the attached report.

REPORT

At its meeting of 1997 January 08, the Parks and Recreation Commission received the attached staff report on the above subject and adopted the two recommendations contained therein.



HUGH MONROE
ACTING DIRECTOR RECREATION
AND CULTURAL SERVICES

tc
Attachment
c:\data\wp\council\ 961107

cc: Director Engineering
Director Planning & Building
City Solicitor

**SUBJECT: KESWICK PARK - B.C. HYDRO & POWER AUTHORITY
REQUEST FOR A STATUTORY RIGHT-OF-WAY**

RECOMMENDATIONS:

1. THAT the granting of a Statutory Right-of-Way over a portion of Lot "A", Explanatory Plan 11875 in favour of B.C. Hydro & Power Authority be approved under the terms and conditions outlined in this report.
2. THAT Council be requested to authorize the execution of the subject Statutory Right-of-Way agreement.

REPORT

BACKGROUND

Through the 1996/97 B.C. Hydro Beautification Program, the City has been successful in receiving cost-sharing for the removal of the major overhead powerlines, overhead telephone cable, and utility poles along Government Street and a portion of Cardston Court adjacent to Keswick Park. In addition, at its meeting of 1996 September 23, Council authorized staff to apply to the 1997/98 B.C. Hydro Beautification Program for one-third cost-sharing for Phase II of the Government Street (Cardston/Halston) project.

PROPOSED EASEMENT REQUIREMENT

In order for the current work approved for the 1996/97 program to proceed, Planning and Engineering Department staff advise that it is necessary for B.C. Hydro to place a pad mounted switching kiosk, measuring 1.7 m (width) x 1.5 m (depth) x 1.2 m (height), on land within Keswick Park. The proposed equipment is required to service the underground wiring to be installed beneath the roadway on Cardston Court.

For this purpose, B.C. Hydro has requested a small statutory right-of-way easement on the edge of Keswick Park as indicated on the attached sketch.

Parks Design staff have reviewed the proposed right-of-way location to ensure that park trees and adjacent park uses are not affected. The kiosk is to be located on a grass slope between the sidewalk and western-most park entry path. Lawn and path areas disturbed by the work will be restored to their original condition. Provided that the proposed switching kiosk is sited north of the existing pathway, Parks staff have no objection to the granting of this right-of-way to B.C. Hydro.

KESWICK PARK - REQUEST FOR A STATUTORY RIGHT-OF-WAY**PAGE 2 OF 2**

The preparation of the right-of-way agreement and review of its terms by the City Solicitor will be coordinated by the Engineering Department as part of the B.C. Hydro Beautification Project. In order to proceed, staff require Commission and Council approval to enter into an agreement with B.C. Hydro. We are, therefore, seeking Council Authority pursuant to Subsection (2) of 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 rights-of-way over property owned by the City.

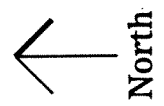
CONCLUSION

In conclusion, the removal of overhead utility lines along Government Street and Cardston Court is considered to be a desirable and worthwhile endeavor for the City of Burnaby to pursue jointly with B.C. Hydro through the B.C. Hydro Beautification Program. In order to proceed with the project a small right-of-way over land within Keswick Park is required for placement of a B.C. Hydro pad mounted switching kiosk. It is, therefore, requested that the Commission authorize the granting of the right-of-way in Keswick Park in favour of B.C. Hydro & Power Authority under the terms and conditions outlined in this report, and that Council be requested to authorize the execution of the subject right of way.

ATS:seo
Attachment
c:\as\misc\keswick.rep

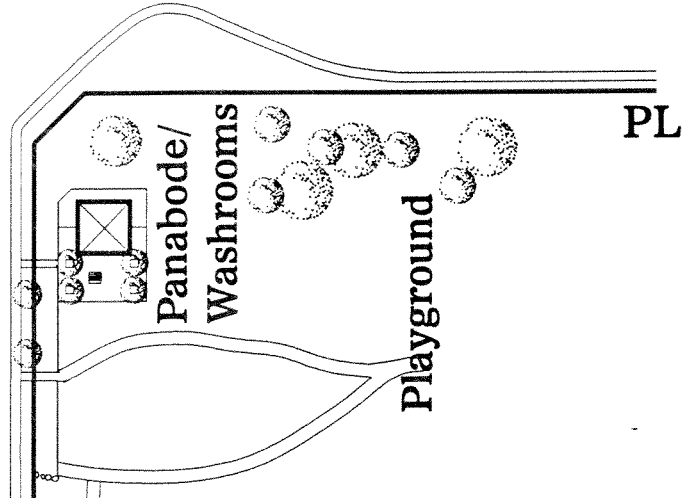
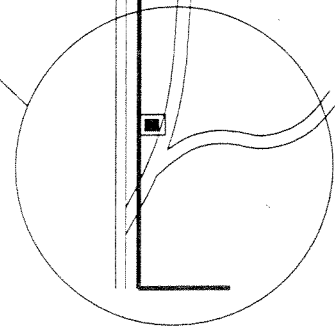
cc: Director Engineering
Director Planning & Building
City Solicitor

Government Street

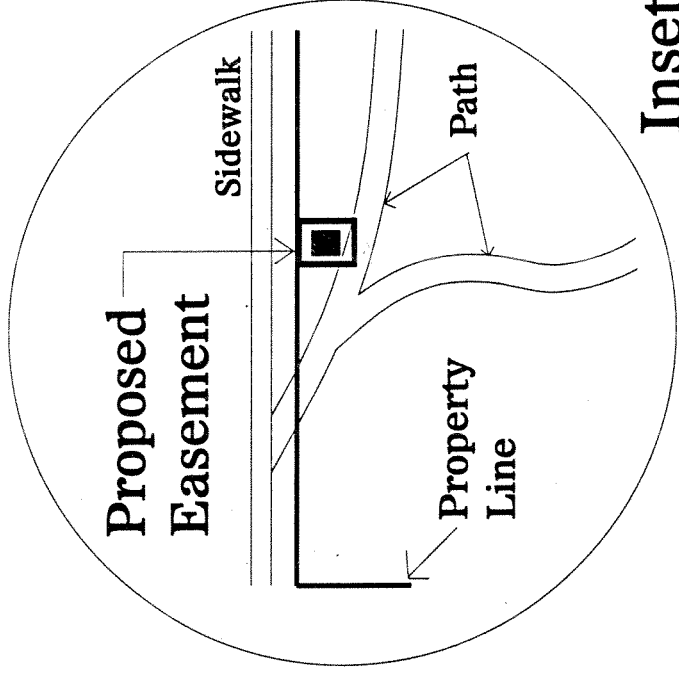


Cardston Court

Inset



Keswick Park



Inset Detail

Dwg.# O.P. 17-3-19s
 Date: December 1996
 Scale: nts
 Prepared by: Hd

Keswick Park: Proposed Easement
 For B.C. Hydro Kiosk

