

TO: CITY MANAGER

May 20, 1998

FROM: DIRECTOR PLANNING AND BUILDING

OUR FILE: RC 14/97

SUBJECT: INTRODUCTION OF ROAD EXCHANGE BYLAW AND TRANSFER OF LANDS FOR INCLUSION IN THE BURNABY FRASER FORESHORE PARK SYSTEM

PURPOSE: To obtain Council authority to proceed with the preparation and introduction of a Road Exchange Bylaw consolidating redundant road allowances for industrial and park use and for the transfer of lands for inclusion in the Burnaby Fraser Foreshore Park system.

RECOMMENDATION:

1. **THAT** Council authorize the preparation and introduction of Road Exchange Bylaws involving the closure and dedication of road allowances as shown on Figure 2 *attached*, subject to the conditions outlined in this report.
2. **THAT** Council authorize the acquisition of Lot 44 for inclusion in the Burnaby Fraser Foreshore Park with title to the closed Hugh Drive road allowance being transferred and consolidated with the adjacent lands subject to the conditions outlined in this report.
3. **THAT** a copy of this report be forwarded to the Parks and Recreation Commission.

REPORT

1.0 BACKGROUND

The City is in the receipt of applications to subdivide and rezone lands in the Big Bend area which have housed the Commonwealth Construction industrial operation (Figure 1 *attached*). Commonwealth no longer requires these lands and has entered into an agreement to sell them to a major development company for comprehensive industrial use. As a component of the redevelopment, provision has been made to extend Lowland Drive from Beedie Street to Tillicum Street as shown on Figure 1. Portions of the undeveloped Hugh

Drive and Fraser Park Drive road allowances are therefore no longer required, and it is proposed to close them as referenced on Figure 2 *attached*. Also proposed for closure is an unnamed road allowance east of the City lands on the south side of Mandeville Avenue. In order to accomplish these closures, it is proposed to introduce a Road Exchange Bylaw which will dedicate lands for the widening of Mandeville Avenue and Abbotsford Street as shown on Figure 2.

2.0 PROPOSED PROPERTY CONSOLIDATIONS

It is proposed to consolidate the closed Hugh Drive road allowance with the adjacent lands, as referenced on Figure 2. As compensation to the City it is proposed to transfer title to Lot 44, which is immediately adjacent to the Fraser River, to the City for inclusion in the Burnaby Fraser Foreshore Park system. The approximate area of the closed Hugh Drive road to be transferred is 7,133 square metres. The area of Lot 44 to be transferred to the City in return is approximately 7,536 square metres. Additional road dedications of approximately 1,824 square metres will be made by the developer for the future construction of Mandeville Avenue and Abbotsford Street. It has also been proposed to transfer ownership of the dock which is located in a waterlot lease to the City with the intention that it be converted for public recreational use.

The public currently has restricted access across Lot 44 by way of an access right-of-way which was negotiated with Commonwealth in 1975. Commonwealth retained the sole right of access to the dock facility, as noted on Figure 3 *attached*. A series of gates presently controls public access on an intermittent basis over this reciprocal public/private access right-of-way. With the acquisition of these lands, it will be possible to include them in a future Park Dedication Referendum, thereby providing continuity of the Burnaby Fraser Foreshore Park system along the river foreshore.

In order to ensure that no environmental liabilities are incurred as a result of the City assuming ownership of Lot 44, it is intended that a Phase 1 Environmental/Historical Site Review be conducted at an estimated cost of \$3,000 to \$5,000. Sufficient funding is available and the project is included under the Land Assembly and Development component of the 1998 - 2002 Annual Capital Program.

3.0 PROPOSED TRANSFER OF DOCK FACILITY

As noted above, in addition to transferring Lot 44 to the City, the developer has offered to also transfer title to the dock which is situated within the North Fraser Harbour Commission (NFHC) Water Lot 5769. Preliminary indications are that there are benefits to converting the

pier to public recreational use. The pier could become an asset to the park by providing a pleasant perspective over the river, good fishing opportunities and a unique opportunity for public access to the Fraser itself. With this in mind, at its 1998 April 01 meeting, the Parks and Recreation Commission authorized an inspection and engineering assessment of the timber wharf to determine its condition and suitability for conversion to public use. This information is in hand and a report in this regard is to be submitted to the Commission for its consideration on 1998 June 03. Also under consideration is the fact that it will be necessary to negotiate and enter into a new lease with the NFHC under terms acceptable to both parties.

While the question of the transfer of the dock is under review by the Parks and Recreation Commission staff recognizes the potential benefits in the proposed transaction and the transfer of Lot 44 could proceed on its own merits if it is concluded that the City does not support the transfer of the ownership of the adjacent dock structure and assumption of the waterlot lease.

4.0 CONCLUSION

As a consequence of the proposed redevelopment of the Commonwealth Construction lands, including the construction of the Lowland Drive extension through the site to connect with Tillicum Street, an opportunity is available to the City to close portions of the undeveloped road allowances referenced herein. The resultant transfer of lands as outlined is considered to be of benefit to all parties and will result in the City gaining title to additional foreshore parkland which will then be eligible to be dedicated as Park in a future referendum. At the same time, lands will be consolidated and available for future industrial development and road allowances dedicated for the future construction of Mandeville Avenue and Abbotsford Street.

It is, therefore, recommended that Council authorize the introduction of the Road Exchange Bylaw and that the following be established as conditions required to be satisfied in order to effect the proposed road exchange:

- a) Submission of the necessary Road Exchange Bylaw plan, Subdivision Plan and any necessary Statutory Right-of-Way plans.
- b) The granting of Statutory Rights-of-Way to protect any public utilities including the Greater Vancouver Sewerage and Drainage District sanitary sewer trunk main which is located to the south of and parallel to the Hugh Drive road allowance.

It is further recommended that, upon completion of the Road Exchange Bylaw, Council authorize staff to pursue the transfer of the closed Hugh Drive road allowance and that the following be established as conditions to be satisfied in order to effect this transfer:

- c) The completion of the Phase 1 Environmental/Historical Site Review and the resolution of any arising requirements for lot 44.



D.G. Stenson, Director
PLANNING AND BUILDING

Attachments
PB\sk

- cc: Director Parks, Recreation and Cultural Services
- Director Finance
- Director Engineering
- City Solicitor
- City Clerk

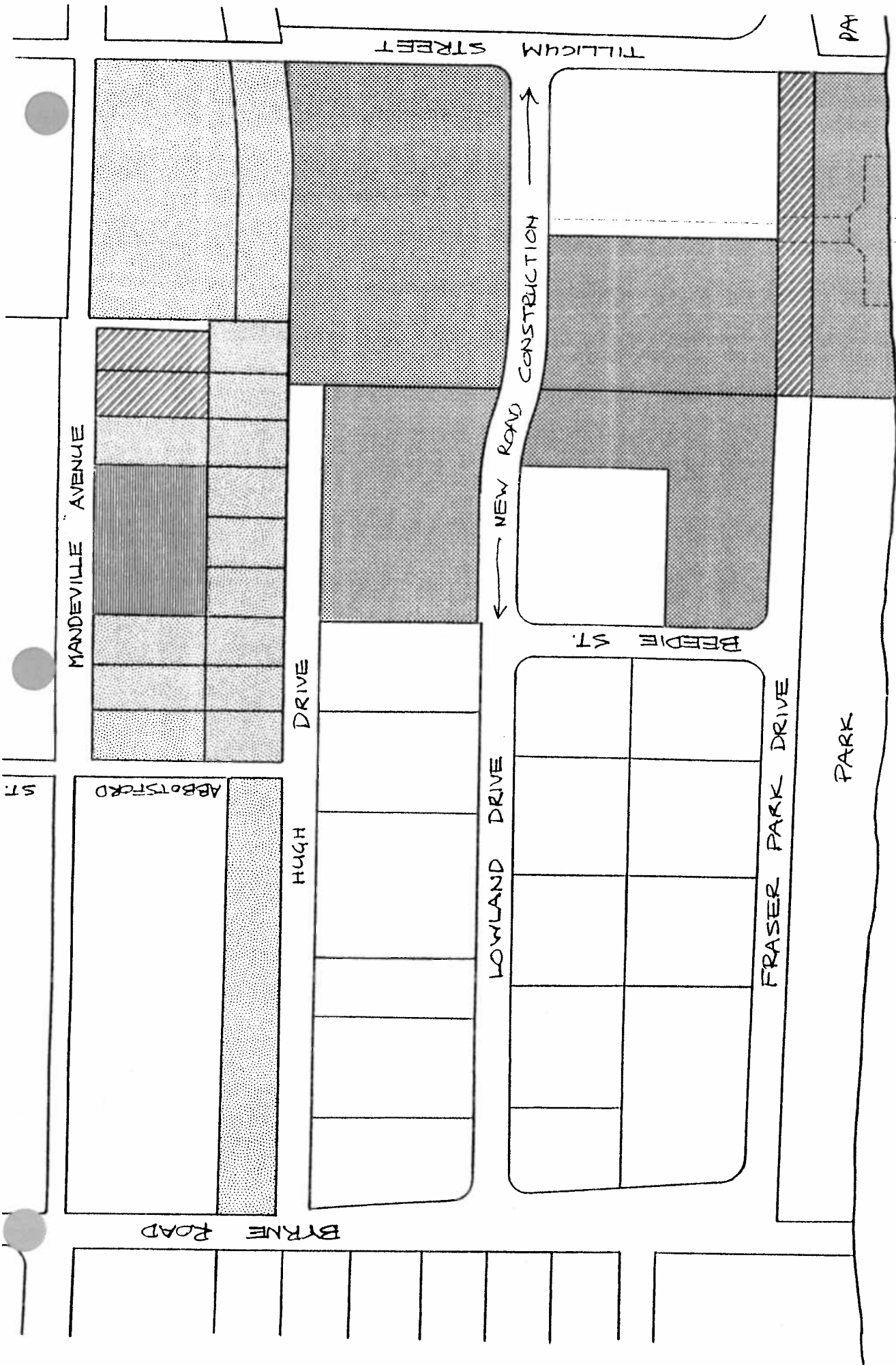
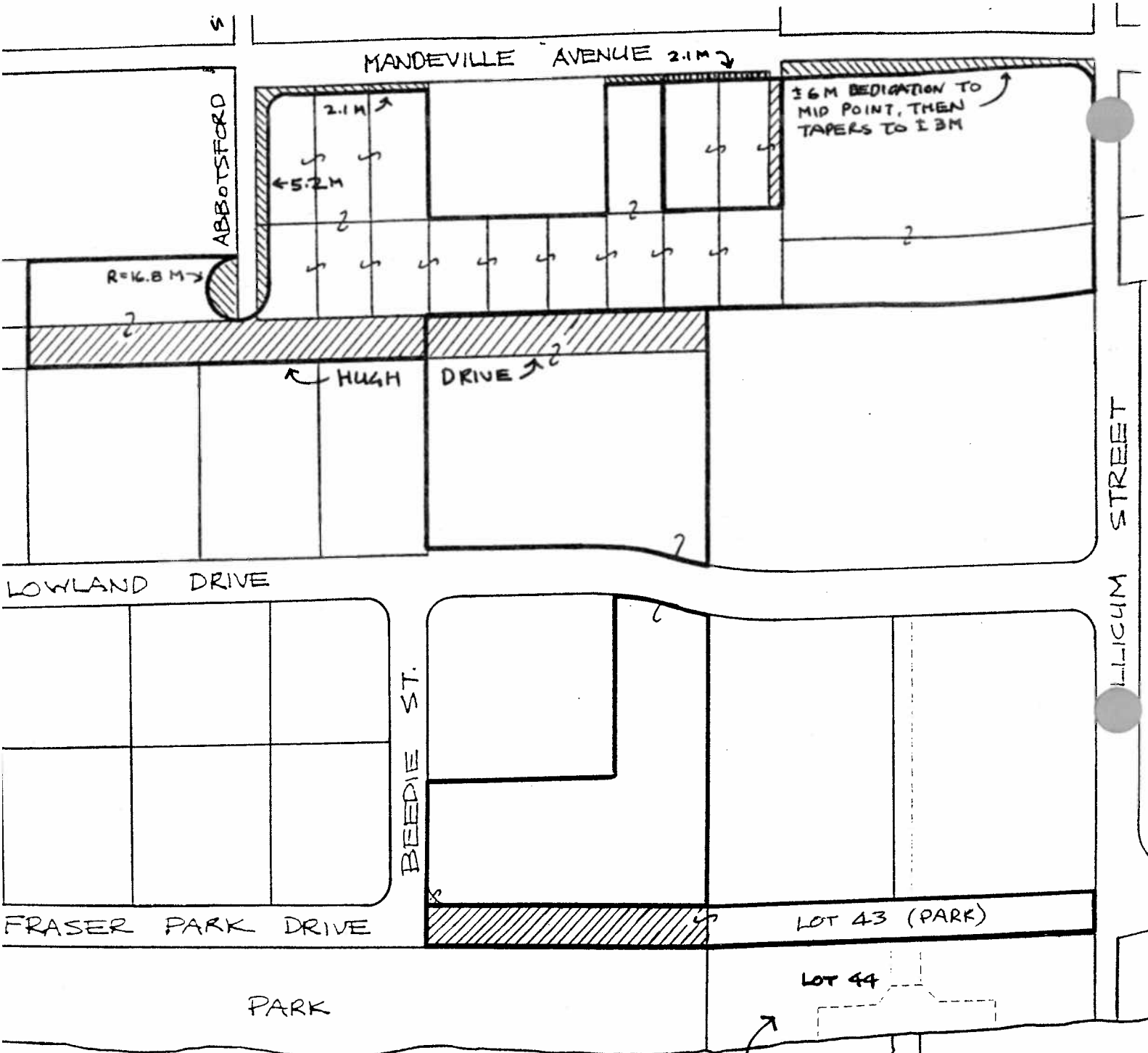





Figure 1

98 MAY 20
SCALE REDUCED

EXISTING OWNERSHIP & LOT CONFIGURATION



-  ROAD ALLOWANCES TO BE CLOSED VIA ROAD EXCHANGE
-  CITY LANDS TO BE DEDICATED AS ROAD VIA EXCHANGE
-  LANDS TO BE DEDICATED AS ROAD BY DEVELOPER VIA EXCHANGE

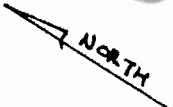
TITLE TO LOT 44 TO BE TRANSFERRED TO CITY WITH CONSOLIDATION OF CLOSED HUGH DRIVE ROAD ALLOWANCE WITH ADJACENT LANDS

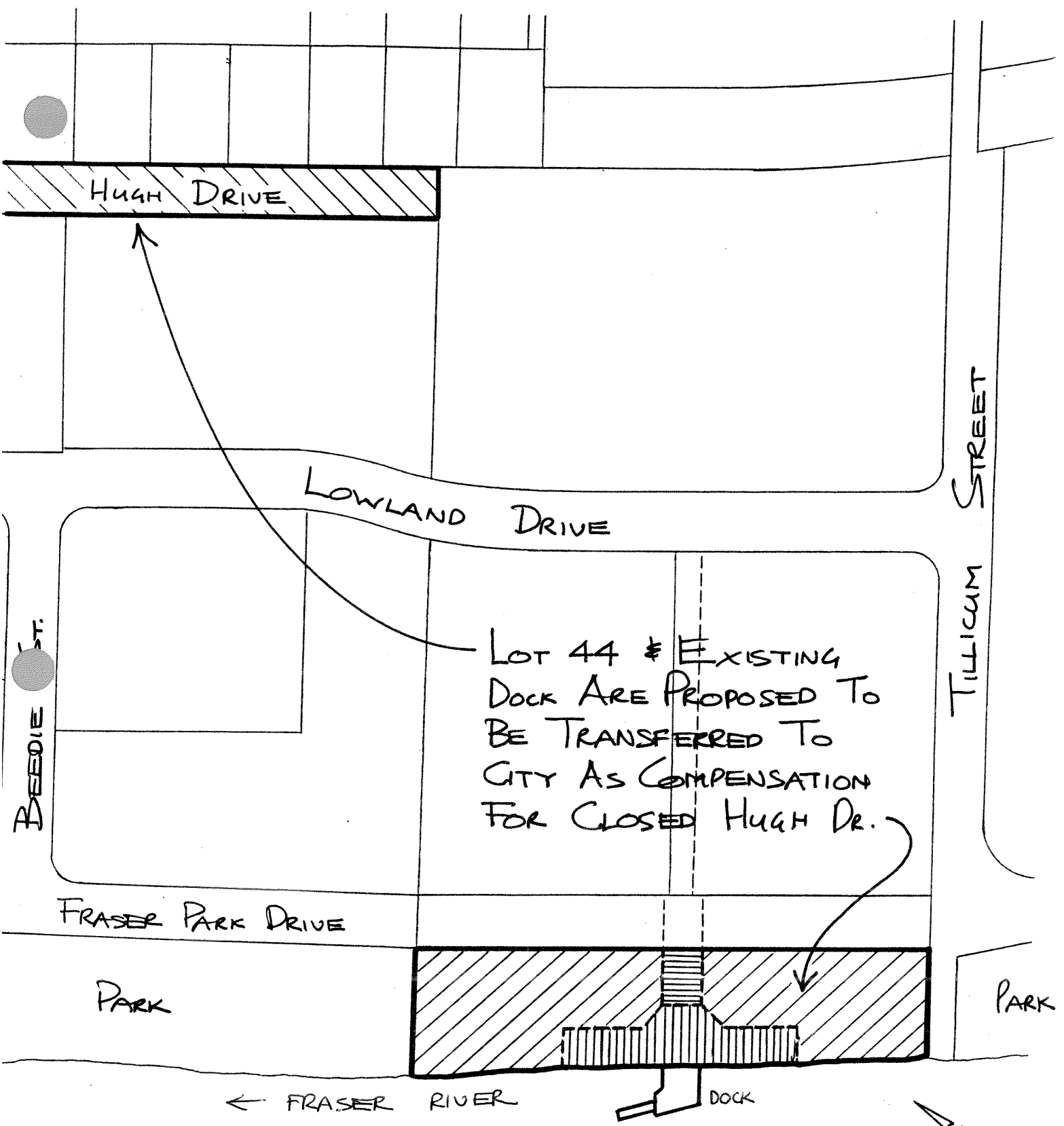
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PROPOSED ROAD EXCHANGE AND PROPERTY CONSOLIDATION

FIGURE 2

98 MAY 20
SCALE REDUCED





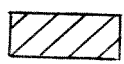


-  PRIVATE LANDS WITH PUBLIC ACCESS R/W
-  PRIVATE DOCK ACCESS ONLY
-  RECIPROCAL PRIVATE PUBLIC ACCESS R/W

FIGURE 3

98 MAY 20
SCALE 1:2000

