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**TO:** CITY MANAGER **DATE:** 2009 April 16

**FROM:** DIRECTOR PARKS, RECREATION AND CULTURAL SERVICES

**SUBJECT:** CENTRAL PARK - REQUEST FOR STATUTORY RIGHT-OF-WAY FOR  
NEW GVWD BRMN5-3E VALVE CHAMBER TRANSFORMER (BC  
HYDRO & POWER AUTHORITY)

**PURPOSE:** To request approval for the granting of a Statutory Right-of-Way at Central Park.

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**RECOMMENDATION:**

1. **THAT** approval, in principle, be given for the granting of a Statutory Right-of-Way over a 4.0 m by 6.6 m portion of Lot 1, District Lot 151, Group 1, New Westminster District, Plan LMP7878 at Central Park in favour of British Columbia Hydro and Power Authority for the purpose of installing, accessing, maintaining and servicing a BC Hydro transformer under the terms outlined in this report.

**REPORT**

At its 'Open' Meeting of 2009 April 15, the Parks, Recreation and Culture Commission received the above noted report and adopted the recommendation contained therein.



Dave Ellenwood  
DIRECTOR PARKS, RECREATION AND CULTURAL SERVICES

MC:tc

Attachment

P:\ADMIN\TC\DATA\COUNCIL\PK-CENTRAL PARK - REQUEST FOR STATUTORY ROW FOR VALVE CHAMBER TRANSFORMER

Copied to: City Solicitor  
Director Engineering  
Director Planning and Building

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**TO:** CHAIR AND MEMBERS  
PARKS, RECREATION & CULTURE COMMISSION

**FROM:** DIRECTOR PARKS, RECREATION &  
CULTURAL SERVICES

**SUBJECT: CENTRAL PARK - REQUEST FOR STATUTORY RIGHT-OF-WAY  
FOR NEW GVWD BRMN5-3E VALVE CHAMBER TRANSFORMER  
(BC HYDRO & POWER AUTHORITY)**

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**RECOMMENDATIONS:**

1. **THAT** Council be requested to approve, in principle, the granting of a Statutory Right-of-Way over a 4.0 m. by 6.6 m. portion of Lot 1, District Lot 151, Group 1, New Westminster District, Plan LMP7878 at Central Park in favour of British Columbia Hydro and Power Authority for the purpose of installing, accessing, maintaining and servicing a BC Hydro transformer under the terms outlined in this report.

**REPORT****INTRODUCTION**

The Greater Vancouver Water District is in the process of installing a new valve chamber within its existing water reservoir easement on the Patterson frontage at Central Park, as a part of the implementation of the third phase of its Boundary Road Main Number 5 water main project. A new electrical service connection and transformer is required from the British Columbia Hydro and Power Authority (BC Hydro). BC Hydro has agreed to install a pad mounted transformer on City land at Central Park for Metro Vancouver, but requires that the BC Hydro works be protected by a statutory right of way in its favour for the purpose of installing, accessing, maintaining and servicing the works.

Approval in principle from Commission and Council to grant a statutory right-of-way in favour of BC Hydro is being requested at this time as well as authorization for staff to negotiate the terms of the statutory right-of-way.

To: Parks, Recreation & Culture Commission  
From: Director Parks, Recreation & Cultural Services  
Re: Central Park - Request for Statutory Right-of-Way  
for New GVWD BRMN5-3E Valve Chamber  
Transformer (BC Hydro & Power Authority)

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**B.C. HYDRO EASEMENT REQUIREMENTS**

BC Hydro has advised that a 1.5 m. wide by 1.6 m. high by 1.5 m. deep transformer is proposed to be mounted on a 1.6 m. by 1.7 m. concrete pad on city-owned land within Central Park. The easement area requested for these works measures approximately 4.0 m. by 6.6 m. for a total area of 26.4 sq.m. located within Lot 1, District Lot 151, Group 1, New Westminster District, Plan LMP7878. The final dimensions and size of the right-of-way will be determined by survey.

**PROPOSED LOCATION OF WORKS**

The location of the proposed BC Hydro works and associated statutory right-of-way area at Central Park are shown on the attached plans. The BC Hydro works are to be located within the existing GVWD right-of-way area for its Central Park water reservoir works. In determining the placement of the proposed transformer and pad within this area, Parks, Planning, GVWD and B.C. Hydro staff considered various locations in the vicinity of the new valve chamber but found that the most suitable location meeting the size and technical requirements was on public park land between the northeast corner of the Central Park water reservoir tank (south tennis courts) and the rear boulevard on Patterson Avenue.

Parks staff reviewed the proposed preliminary easement location to ensure that park trees, adjacent park uses such as access to the south tennis courts, and park pathways will not be affected. Some fine tuning of the position of the transformer pad to ensure adequate set back from the property line for the future Patterson Urban Trail may be necessary. The grass lawn disturbed by the work will be restored to original condition as part of the project.

Given the lack of other alternatives, and since the transformer will not interfere with public use or enjoyment of the park, Parks staff have no objection to the granting of this right-of-way to B.C. Hydro, in order that the GVWD can complete its BRMN5-3E water main project.

**STATUTORY RIGHT-OF-WAY TERMS**

If the granting of the requested right-of-way is approved in principle, the City Solicitor will be requested to negotiate the terms of the statutory right-of-way agreement with BC Hydro. Because the project is being pursued jointly by the GVWD and BC Hydro, compensation for the right-of way area will be requested. The easement area proposed has been kept to a minimum and the negotiation of terms for the proposed right-of-way agreement will incorporate the standard City terms. The cost of any legal survey work required for registration of the associated explanatory plan will be the responsibility of BC Hydro and GVWD.

The details of the final right-of-way area, agreement and compensation will be the subject of a future report seeking authorization to grant and execute the agreement.

To: Parks, Recreation & Culture Commission  
From: Director Parks, Recreation & Cultural Services  
Re: Central Park - Request for Statutory Right-of-Way  
for New GVWD BRMN5-3E Valve Chamber  
Transformer (BC Hydro & Power Authority)

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**CONCLUSION**

The implementation of the Boundary Road Number 5 water main and associated works is considered to be a desirable and worthwhile endeavour for the GVWD to pursue on behalf of its member municipalities and the public. In order for GVWD to complete the project this year, a right-of-way over city land within Central Park is required for placement of B.C. Hydro's pad mounted transformer. It is therefore recommended that Council be requested approve in principle the granting of a statutory right-of-way in BC Hydro's favour for the purpose of installing, accessing, operating and maintaining a pad mounted transformer and to authorize staff to negotiate the terms of the statutory right-of-way agreement under the conditions outlined in this report.



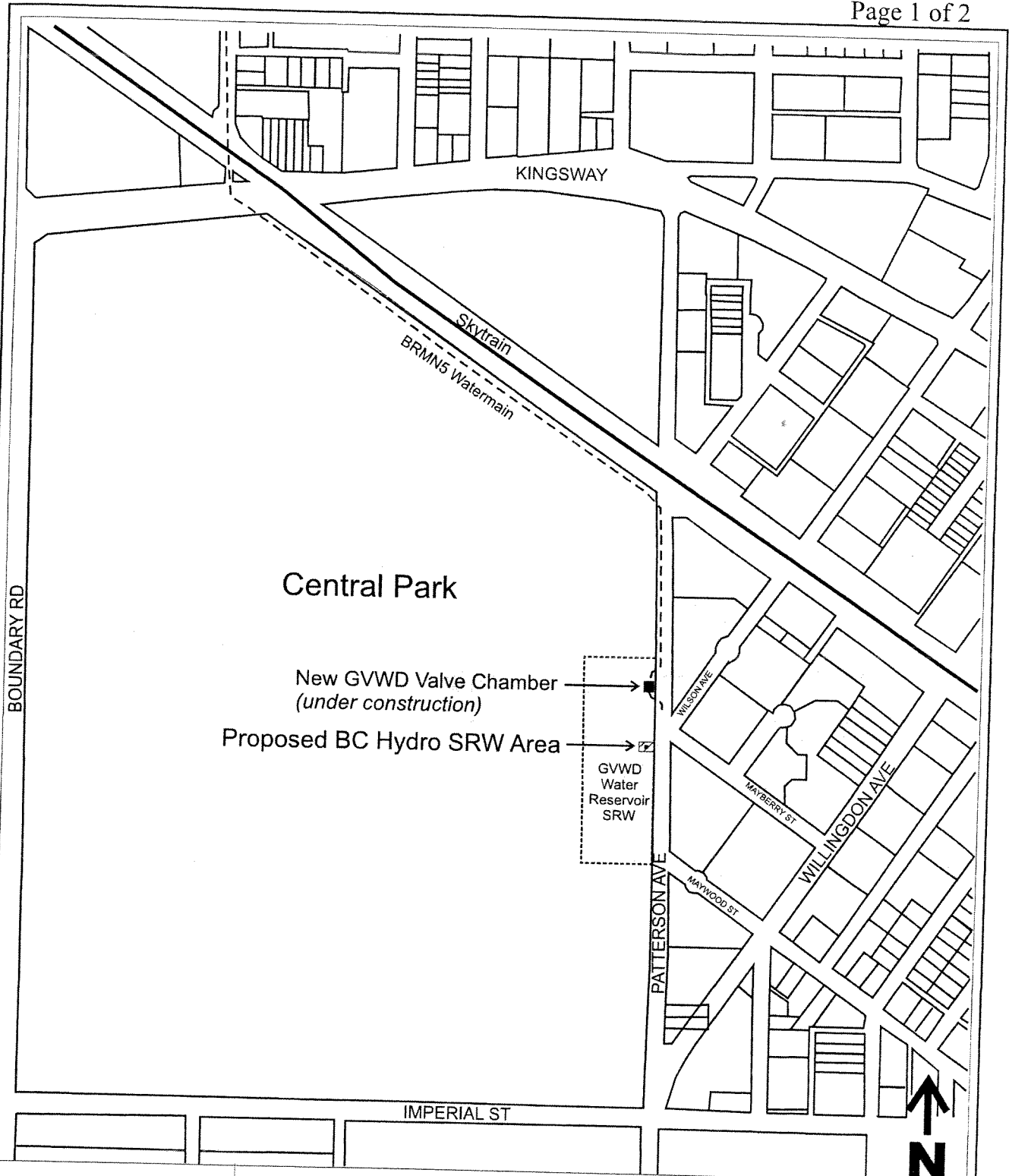
Dave Ellenwood  
DIRECTOR PARKS, RECREATION & CULTURAL SERVICES

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Attachment

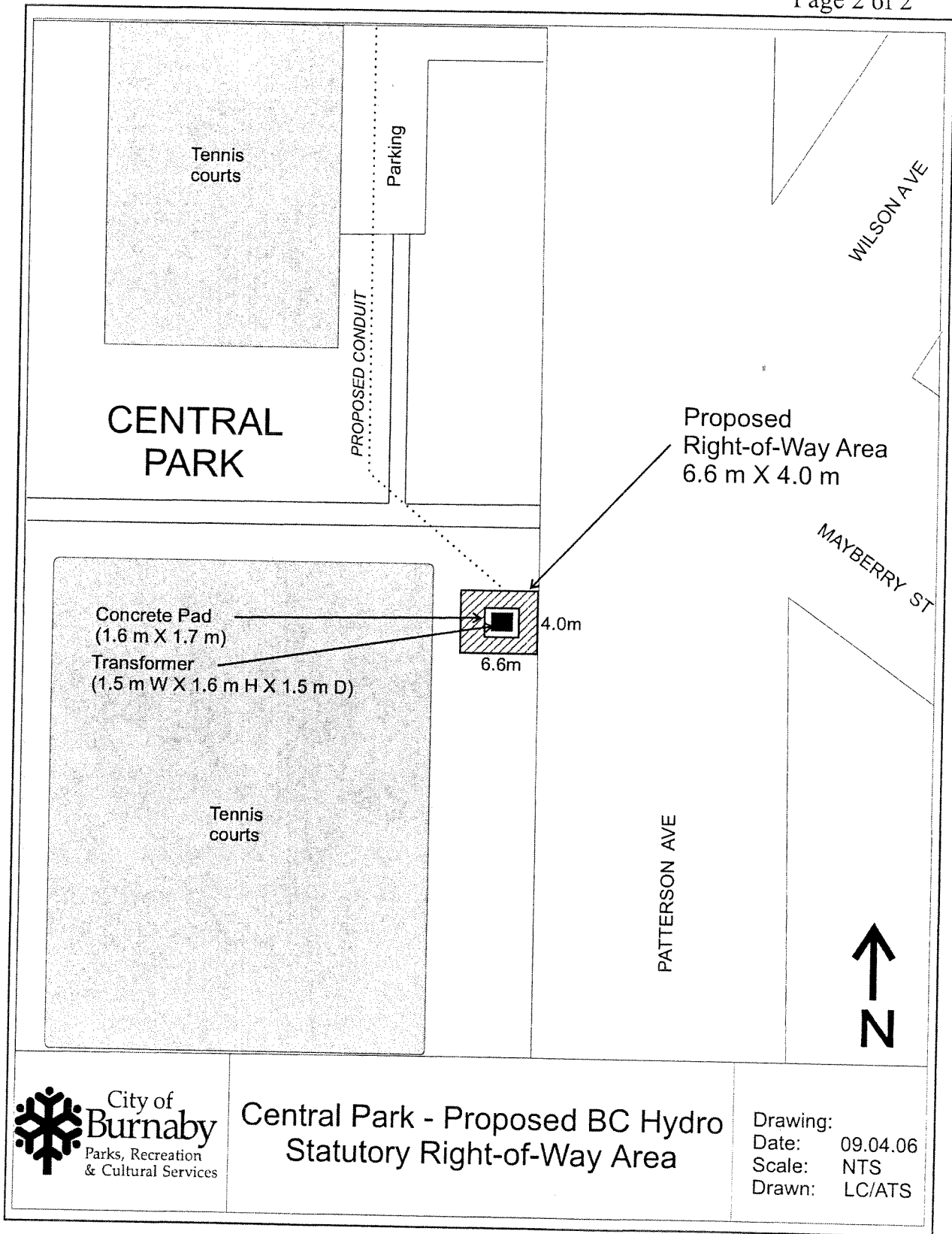
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Copied to: City Solicitor  
Director Engineering  
Director Planning and Building



**Central Park:  
Location of Proposed  
BC Hydro Statutory Right-of-Way**

Drawing:  
Date: 09.04.06  
Scale: NTS  
Drawn: LC



Central Park - Proposed BC Hydro  
Statutory Right-of-Way Area

Drawing:  
Date: 09.04.06  
Scale: NTS  
Drawn: LC/ATS