
TO: CITY MANAGER **DATE:** 2009 November 19

FROM: DIRECTOR PARKS, RECREATION AND CULTURAL SERVICES

SUBJECT: CENTRAL PARK - RIGHT-OF-WAY REQUEST FOR GVWD WATER DISTRIBUTION SYSTEM OPTIMIZATION PROJECT

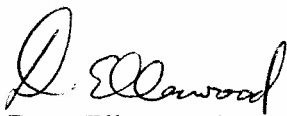
PURPOSE: To request approval in principle for the granting of a statutory right-of-way and temporary construction easement within Central Park in favour of the Greater Vancouver Water District.

RECOMMENDATIONS:

1. **THAT** approval in principle be given to the granting of a statutory right-of-way and temporary construction easement, over a portion of Lot 1, District Lot 151, Group 1, N.W.D., Plan LMP7878 in favour of the Greater Vancouver Water District for the purpose of constructing, maintaining and operating underground water distribution works within Central Park as described in the attached report.
2. **THAT** the Legal and Lands Department be authorized to negotiate the terms of a new statutory right-of-way agreement with the Greater Vancouver Water District under the terms and conditions outlined in the attached report.
3. **THAT** a copy of this report be sent to the Greater Vancouver Water District.

REPORT

At its 'Open' Meeting of 2009 November 18, the Parks, Recreation and Culture Commission received the above noted report and adopted the four recommendations contained therein.



Dave Ellenwood

DIRECTOR PARKS, RECREATION AND CULTURAL SERVICES

MC:tc

Attachment

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Copied to: City Solicitor
Director Engineering
Director Planning and Building

TO: CHAIR AND MEMBERS
PARKS, RECREATION & CULTURE COMMISSION

FROM: DIRECTOR PARKS, RECREATION &
CULTURAL SERVICES

**SUBJECT: CENTRAL PARK - RIGHT-OF-WAY REQUEST FOR GVWD WATER
DISTRIBUTION SYSTEM OPTIMIZATION PROJECT**

RECOMMENDATIONS:

1. **THAT** approval in principle be given to the granting of a statutory right-of-way and temporary construction easement, over a portion of Lot 1, District Lot 151, Group 1, N.W.D., Plan LMP7878 in favour of the Greater Vancouver Water District for the purpose of constructing, maintaining and operating underground water distribution works within Central Park as described in this report.
2. **THAT** the Legal and Lands Department be authorized to negotiate the terms of a new statutory right-of-way agreement with the Greater Vancouver Water District under the terms and conditions outlined in this report.
3. **THAT** a copy of this report be sent to the Greater Vancouver Water District.
4. **THAT** Council be requested to concur.

REPORT**CENTRAL PARK DISTRIBUTION SYSTEM OPTIMIZATION PROJECT**

The City has been approached by the Greater Vancouver Water District (GVWD) concerning the proposed Central Park Distribution System Optimization Project (CPDSOP) which will take place within the Central Park area. The purpose of this report is to inform Commission and Council of this planned construction project and to present GVWD's request to site one of the proposed underground valve chambers and associated water main tie-ins on city land within Central Park. GVWD is requesting that the City of Burnaby grant it a statutory right-of-way for these works.

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Re: Central Park - Right-of-Way Request for GVWD
Distribution System Optimization Project

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The GVWD currently own and operate several water facilities on rights-of-way within Central Park including a major storage reservoir, pumping and disinfection facilities, and major transmission mains. The majority of the GVWD infrastructure is concentrated on the central east side of Central Park off of Patterson Avenue. The CPDSO Project work that will be undertaken by the GVWD in the next year includes the introduction of a new watermain and several underground valve chambers, tie in connections to the existing water system facilities within Central Park, relocation and replacement of several city mains and the decommissioning of two existing GVWD mains. The majority of the work will take place on Patterson Avenue from Mayberry Street to Willingdon Avenue but some work with within Central Park will also be necessary. The general location of these works is illustrated in the attached sketch plan (Attachment #1).

ANTICIPATED PROJECT IMPACTS TO PARK

The proposed new right-of-way area lies between the Central Park Pitch and Putt Golf Course's 11th hole and the Patterson Avenue south tennis court parking lot. This area of the park has an existing park path, lawn area, pitch and putt golf course fence, various shrubs and a number of deciduous and coniferous trees of various sizes. The proposed work will cause some disruption to the park, the pitch and putt golf course facility and the general public during the project construction and restoration periods, which is anticipated to be a four to five month period commencing spring 2010. Staff from the Parks, Engineering and Planning Departments, have been working with the GVWD staff to provide comments on the plans as design details become available and have coordinated with the Water District to ensure that the park area is adequately protected and public inconvenience is kept to a minimum during construction.

At this preliminary design stage, removal of approximately nine or ten trees along the Pitch & Putt Golf Course fence line will likely be necessary to facilitate the valve chamber construction. Removal of some trees from the northeast perimeter of the Pitch and Putt Golf Course will open the greens to much needed sunlight. Care will be taken in the design of the project works to protect a significant fir tree located adjacent to the Patterson Avenue sidewalk and to accommodate the planned Patterson Avenue Urban Trail. A more detailed review of impacts to the golf course operation, including potential loss of revenue is underway. Restitution by GVWD of any lost revenue resulting from a reduction in play due to the construction project will also be required.

GVWD will be required to submit a detailed plan and diagrams showing the proposed location and appearance of all above surface infrastructure including, but not limited to, access hatches, electrical conduit, kiosks, and vents to the City for approval prior to commencement of construction. This is necessary to ensure such works are designed to fit as aesthetically as possible into the park landscape and will not conflict with park surface uses, including the proposed Patterson Avenue Urban Trail. Planting of suitable replacement trees at a ratio yet to be determined, landscaping adjacent the Pitch & Putt golf course precinct and in the adjacent park area, will also be a requirement of the project approval.

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REQUESTED STATUTORY RIGHT-OF-WAY AREA

The proposed new SRW area will be approximately 330 square metres in size. As illustrated in Attachment #2, the new right-of-way area is proposed to commence at the east property line (Patterson Avenue) and run in a roughly diagonal line northwestwards beside SRW Plan RW58076 to meet SRW Plan LMP 35533. The proposed valve chamber would lie under the Pitch and Putt facility perimeter planting bed and fence line. The requested temporary 3 m. wide construction easement would run along this southwest side of the right-of-way and cross the edge of the putting green at the 11th hole.

The proposed works will tie into and cross the abutting 175 square metre GVWD right-of-way area, RW58076. The right-of-way agreement for RW58076 has a term of thirty (30) years, and is due to expire August 19th, 2011. It is suggested that the requested new right-of-way be expanded to overlap and replace RW58076 at the expiry of its present term, and that the new right-of-way agreement incorporate both the proposed new works and the existing works at this location.

The proposed combined statutory right-of-way, of approximately 505 square metres, will encumber the land and restrict use of portions of the land surface for park purposes, compensation for the land area will therefore be required. The exact right-of-way area would be determined by survey based on the final approved detailed construction drawings. The standard city terms for statutory rights-of-way will apply and the GVS & DD will be required to maintain the improvements and to comply with all other applicable permit and bylaw requirements including the Burnaby Noise and Sound Abatement Bylaw 1979, Amendment Bylaw No.1, 1995 and all applicable Sediment Control measures required during construction and site preparation for this project.

It should be noted that the subject city-owned property, Lot 1, District Lot 151, Group 1, New Westminster District, Plan LMP7878 is dedicated for park purposes under Park Dedication Bylaw No. 9976 (1993). However, there is no impediment to the granting of this statutory right-of-way as the proposed works are considered an expansion of an existing regional facility within the park.

CONCLUSION

The City is in receipt of a request from the Greater Vancouver Water District for a statutory right-of-way over city-owned park land at Central Park for the purpose of constructing and operating a valve chamber and water main connections planned as components of the GVWD's Central Park Distribution System Optimization Project. At this time, staff are seeking approval in principle from Commission and Council to: the siting of the proposed new valve chamber and associated mains, as well as use of a temporary construction working area on city-owned parkland within the Central Park; the granting of an approximate 505 sq.m. statutory right-of-way area for both new and existing works described above; and authorization for the Legal and Lands Department to negotiate the terms, including compensation, of the Statutory Right-of-Way agreement in favour of GVWD.

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Specific authorization to grant and execute the SRW agreement and temporary construction easement documentation will be sought in a future report to Commission and Council, outlining the negotiated terms and site and operational impact mitigation requirements.



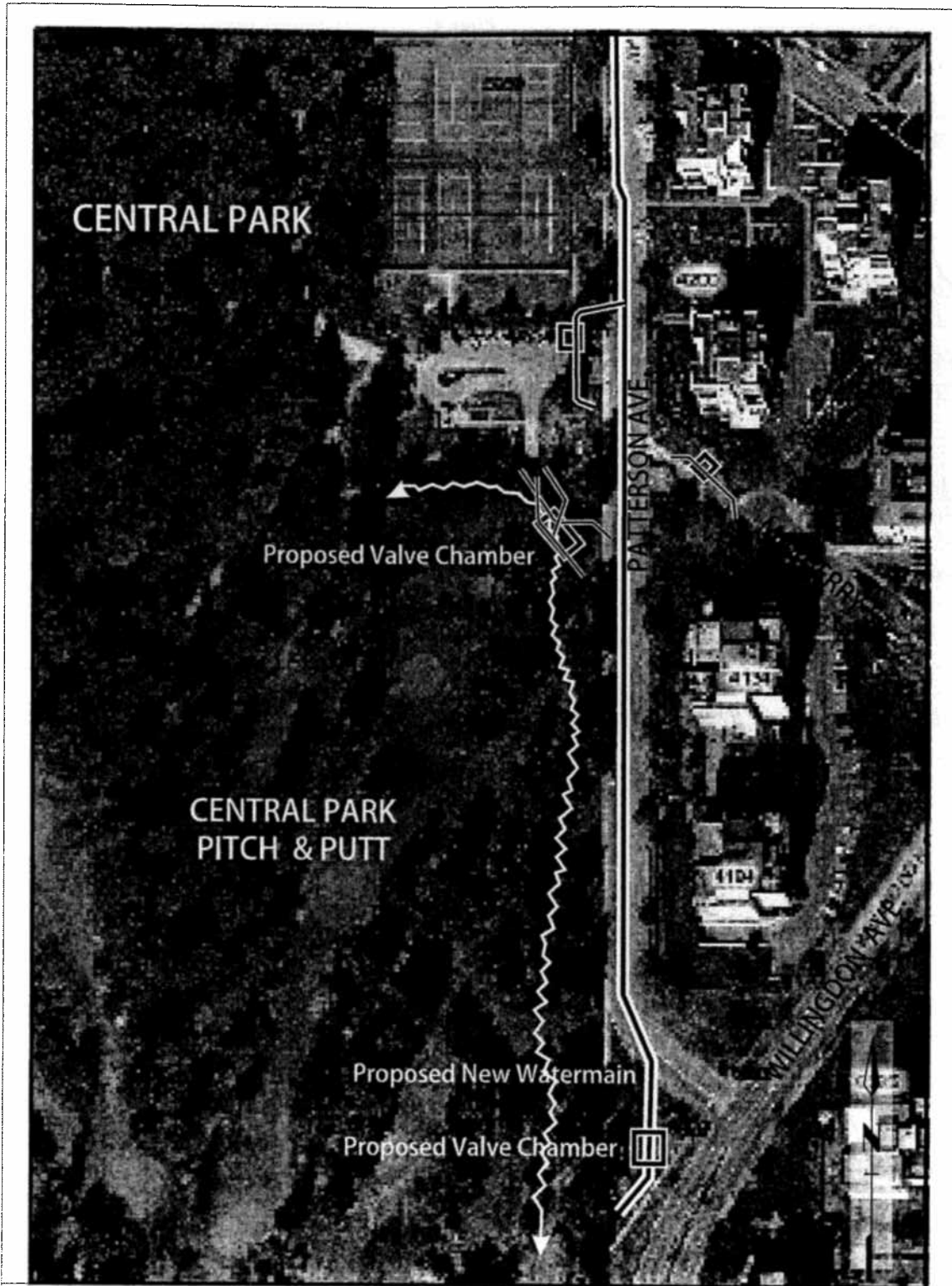
Dave Ellenwood
DIRECTOR PARKS, RECREATION & CULTURAL SERVICES

ATS:ats:tc

Attachments

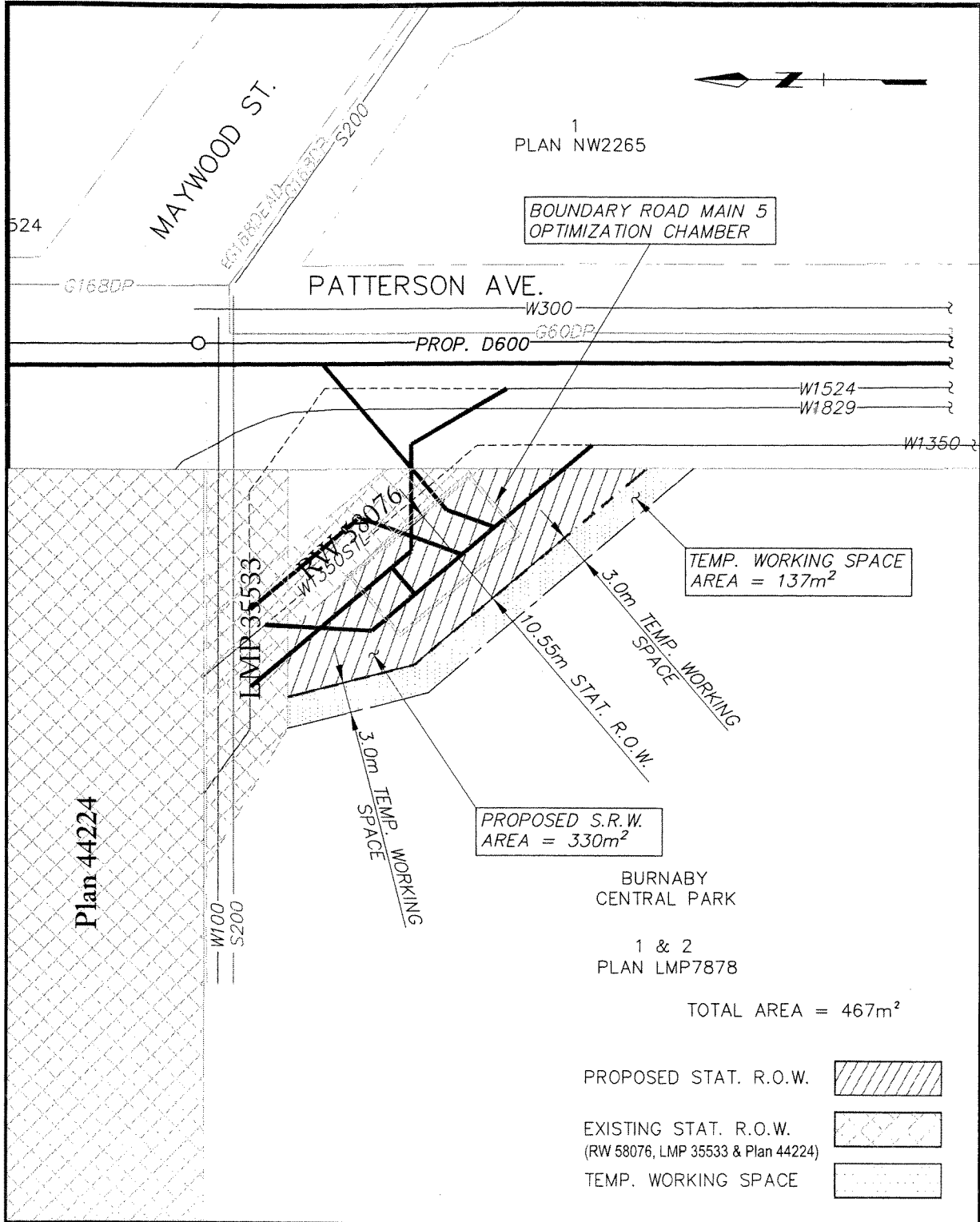
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Copied to: City Solicitor
Director Engineering
Director Planning and Building



GREATER VANCOUVER WATER DISTRICT
CENTRAL PARK DISTRIBUTION SYSTEM OPTIMIZATION PROJECT:
LOCATION OF PROPOSED CHAMBERS AND WATER MAIN WORKS

DRAWN BY: ATS
DATE: NOV. 2009
SCALE: nts



GREATER VANCOUVER WATER DISTRICT
CENTRAL PARK DISTRIBUTION SYSTEM OPTIMIZATION
LOT 1&2 - PLAN LMP7878

SCALE: 1:500

JM/OCT 09
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