

---

**TO:** CITY MANAGER **DATE:** 2012 January 08

**FROM:** DIRECTOR PLANNING AND BUILDING **FILE:** 49500 20  
*Reference: Rez. #10-29*

**SUBJECT: BC HYDRO STATUTORY RIGHT-OF-WAY  
6557, 6575, and 6591 NELSON AVENUE AND 6609 JUBILEE AVENUE**

**PURPOSE:** To request Council's authorization for the execution of the subject statutory right-of-way.

---

**RECOMMENDATIONS:**

1. **THAT** Council authorize the granting of an unregistered statutory right-of-way over a portion of City-owned properties at 6557, 6575 and 6591 Nelson Avenue and 6609 Jubilee Avenue at Bonsor Park, in favour of BC Hydro and Power Authority, for its existing underground power line and related equipment, as outlined in this report.
2. **THAT** a copy of this report be sent to the Parks, Recreation and Culture Commission for information.

**REPORT****1.0 INTRODUCTION**

The development at 6560 Nelson Avenue, which recently received Council approval under Rezoning Reference #10-29 (The Met), is in the process of obtaining a Building Permit. As a requirement for the issuance of the Building Permit, the development is required to tie into the existing underground power service/distribution line located on the west side of Nelson Avenue. The distribution line, which has been in operation for nearly two decades, is part of the primary feeder circuit for the Metrotown Core.

The purpose of this report is to seek Council authorization for the granting of an unregistered statutory right-of way over a portion of City-owned properties at 6557, 6575 and 6591 Nelson Avenue and 6609 Jubilee Avenue which contains existing BC Hydro underground services. The granting of the unregistered statutory right-of-way is required in order to properly authorize and allow BC Hydro to conduct the necessary works related to the connection of the existing underground distribution line to service the Council approved development at 6560 Nelson Avenue.

## 2.0 DISCUSSION

The distribution line is located within the Nelson Avenue road right-of-way, except for the north portion of the line which is located within the properties at 6557, 6575, and 6591 Nelson Avenue and 6609 Jubilee Avenue, directly adjacent to the road right-of-way (see attached Sketches #1 and 2). Given that the line had been installed within the properties without the benefit of statutory right-of-way over the utility in favour of BC Hydro and the Power Authority, BC Hydro does not have the authority to pursue the necessary works on the lands to provide power service to the development at 6560 Nelson Avenue.

The subject properties at 6557, 6575, and 6591 Nelson Avenue and 6609 Jubilee Avenue form part of the Bonsor Park frontage on Nelson Avenue, and are improved with related surface parking area and driveway access for the park and recreation complex. As noted, the existing underground power distribution line, which is part of the primary circuit feed for the Metrotown core, runs along the frontages of the subject properties. There is also a related junction box located at 6591 Nelson Avenue (see attached Sketches #1 and #2).

A 2.0 m unregistered statutory right-of-way is proposed over the subject properties for the existing power distribution line. The unregistered statutory right-of-way would permit BC Hydro to pursue the required service connection works for the property at 6560 Nelson Avenue (The Met), including the installation of a new junction box at 6557 Nelson Avenue. The granting of the statutory right-of-way would also be consistent with current City requirements.

As background information, the assembly of the overall Bonsor Park site is generally complete, with the exception of the remaining private property at 6764 Jubilee Avenue. With the successful acquisition of the above noted private property, or as part of a phased approach, in future, the subdivision-consolidation of the overall park site into a single parcel is to proceed. Under the final subdivision-consolidation plan for the park site, the current site area containing the existing underground BC Hydro distribution line is planned to be dedicated as part of the Nelson Avenue road allowance. At the time that the BC Hydro distribution line was installed in this location, it was acknowledged that the line would be within an area designated for future road allowance; as such, compensation to the City was not pursued. Given that the requested unregistered statutory right-of-way is for the existing underground utility and within the area designated for future road allowance, it is proposed that no compensation be sought from BC Hydro. The City Solicitor has reviewed and concurs with this approach.

## 3.0 CONCLUSION

It has been identified that a part of the primary circuit feed for the Metrotown core is located on City lands on the Bonsor Park frontage of Nelson Avenue without the benefit of a statutory right-of-way over the underground utility. In order to properly authorize BC Hydro to work on the portion of City lands containing the existing and approved utility line, Council authorization is sought for the granting of an unregistered statutory right-of-way over a portion of City-owned

To: City Manager  
From: Director Planning and Building  
Re: BC Hydro statutory right-of-way within Bonsor Park  
2012 January 08..... Page 3

properties 6557, 6575 and 6591 Nelson Avenue and 6609 Jubilee Avenue at Bonsor Park, as outlined in this report. In future, the area of the right-of-way is planned to be dedicated as part of the Nelson Avenue road allowance.

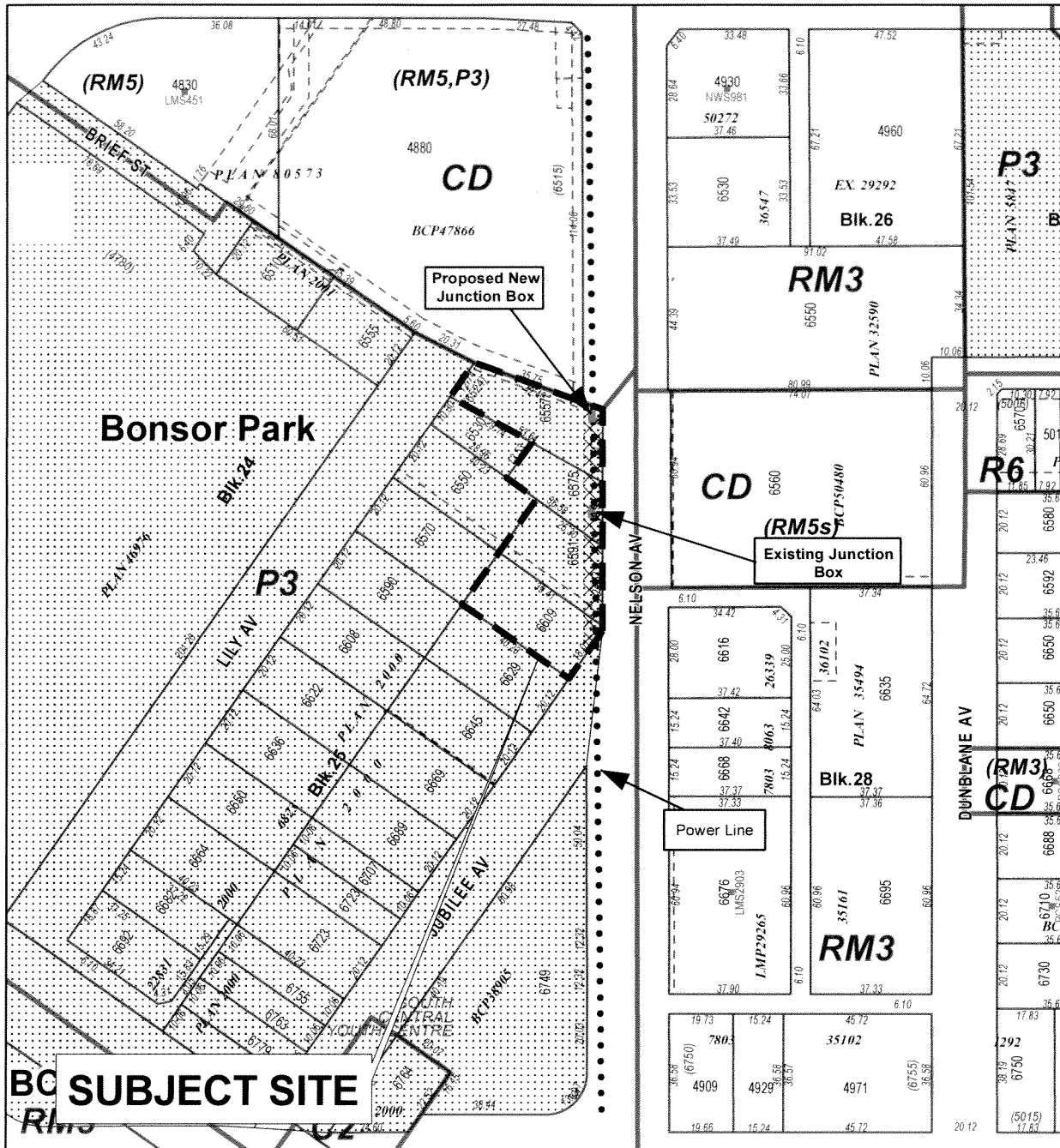
It is also recommended that a copy of this report be sent to the Parks, Recreation and Culture Commission for information.





  
Lou Pelletier, Director  
PLANNING AND BUILDING

ZT:spf/tn  
**Attachments**

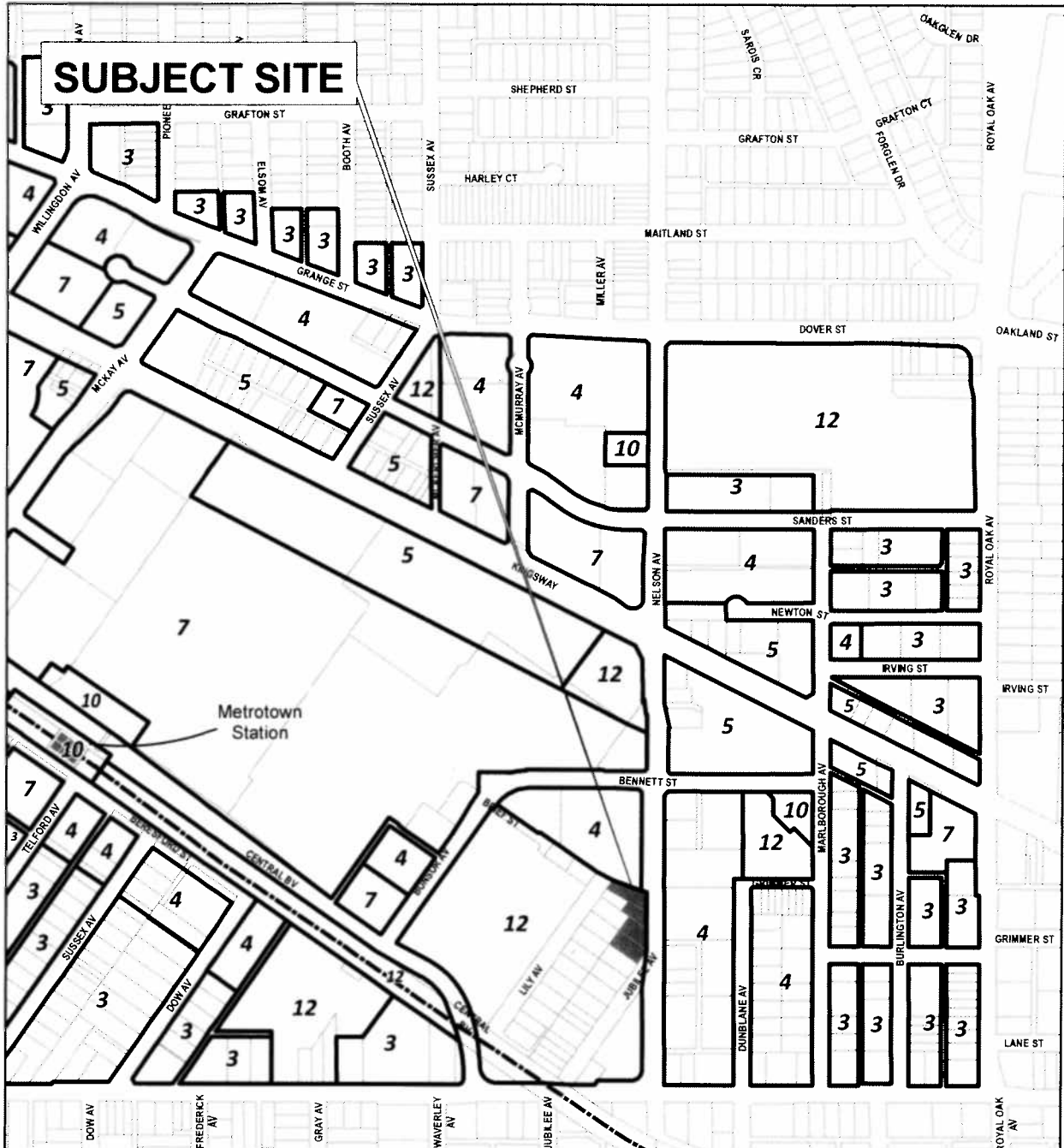
cc: Acting Director Engineering  
Director Parks Recreation and Cultural Services  
City Solicitor  
Acting City Clerk

P:\Zeralynne\BC HYDRO\Bonsor Park.Docx



	PLANNING & BUILDING DEPARTMENT 
DATE: <p style="text-align: center;">JAN 08 2013</p>	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  Subject Site         </div> <div style="text-align: center;">  Proposed Unregistered SROW         </div> </div>
SCALE: <p style="text-align: center;">1:2,000</p>	<b>6557, 6575 AND 6591 NELSON AVENUE</b> <b>6609 JUBILEE AVENUE</b>
DRAWN BY: <p style="text-align: center;">AY</p>	

Sketch #1



- |  |                                      |
|--|--------------------------------------|
| 1 Single and Two Family Residential          | 7 High Density Mixed Use             |
| 2 Low Density Multiple Family Residential    | 10 Institutional                     |
| 3 Medium Density Multiple Family Residential | 12 Park and Public Use/Public School |
| 4 High Density Multiple Family Residential   |                                      |
| 5 Commercial                                 |                                      |
| 6 Medium Density Mixed Use                   |                                      |



City of Burnaby  
Planning and Building Dept

## Metrotown Plan

