

NO: R048

COUNCIL DATE: March 22, 2010

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **March 16, 2010**

FROM: **General Manager, Engineering** FILE: **1707-013**

SUBJECT: **Construction of the North Creek Pedestrian Bridge -
Delegation to Council by Mr. Pierre Gagnon**

RECOMMENDATION

The Engineering Department recommends that Council:

1. Receive this report as information;
2. Authorize staff to proceed with all necessary actions to construct the North Creek Pedestrian Bridge on the 180 Street alignment; and
3. Authorize the City Clerk to forward a copy of this report and the related Council resolution to Mr. Pierre Gagnon, who appeared before Council as a delegation regarding the construction of the North Creek pedestrian bridge.

BACKGROUND

Mr. Pierre Gagnon, representing a group of six adjacent property owners, appeared as a delegation before Council on March 1, 2010 to voice concerns related to the imminent construction of the North Creek pedestrian bridge on the 180 Street alignment in North Cloverdale (see map attached as Appendix I). These six owners own single family residential homes on the 180 Street cul-de-sac to which the south end of the proposed bridge connects.

Mr. Gagnon advised Council that his concerns relate to potential impacts to private property due to construction activities, particularly vibrations from pile driving, and to his contention that a proper process was not followed in the planning for the bridge location or in the public consultation/notification of the planning process or of the project itself. In addition he questioned the justification for the project and noted general safety and nuisance concerns.

After hearing the delegation, Council referred the matter to staff for a report back to Council.

A detailed description of the background to the selection of 180 Street as the alignment for the North Creek Pedestrian Bridge and of the planning process and steps leading to that decision is provided in the following discussion.

The Original NCP

The North Cloverdale West NCP was adopted by Council in 1996. The NCP area is divided in half by North Creek which flows from east to west through the area. The bulk of the population for the NCP is in the northerly portion of the NCP (later named Provinceton) while a park and school site was identified in the southerly portion (commonly referred to as Adams Road). Access across North Creek is very limited and thus the design of the NCP was largely centered around the concept of providing a pedestrian-only corridor across the North Creek ravine.

The original NCP plan envisioned two linear park systems running on a north-south alignment – one at 180 Street and one at 182 Street. Both linear parks were to provide access to the top of the North Creek Ravine to provide public “View Points”. The 182 Street corridor was planned to be continuous through both Provinceton and Adams Road and thus was originally identified for the pedestrian bridge crossing.

NCP Changes (Parklane’s Provinceton Subdivision)

Parklane Homes assembled roughly half the area in the north half of the NCP in the early 2000’s. During the rezoning and subdivision process for Project 7902-0358-00 known as Provinceton significantly altered what was identified in the original NCP. The changes mainly consisted of increased densities, road network adjustments and 180 Street was planned as a “green street” with special design standards and a new mini-park, not part of the original plan, was incorporated at the corner of 180 Street and 70 Avenue.

The 180 Street corridor was made continuous through Provinceton so that it would provide a strong, direct greenway linkage between the Fraser Highway Greenway in the north and the Cloverdale Greenway in the south, something that the 182 Street corridor could not provide. This new concept resulted in a decision to relocate the planned pedestrian bridge across North Creek to the 180 Street alignment.

The rezoning process for the Provinceton project, which included the relocation of the North Creek bridge crossing from 182 Street to 180 Street, included the following:

- An environmental review of North Creek was conducted with Department of Fisheries and Oceans approval obtained in April and May 2003. The assessment concluded no significant differences existed between the 180 Street and 182 Street alignments in terms of habitat and riparian impacts: similar ravine profile and bank stability with similar width and depth of ravine.
- The applicant held a public information meeting for the project April 22, 2003 with pre-notification letters sent on March 12, 2003. The new bridge location and new “Pedestrian Pathway System” were presented at that meeting.
- The developer of the Provinceton provided an Amenity Contribution towards construction of the pedestrian bridge at 180 Street in the amount of \$100,000.
- The Planning Report related to Provinceton was received and approved by Council on October 27, 2003, including the new bridge and Pedestrian Pathway System on the 180 Street alignment and the Amenity Contribution for the bridge.
- A Public Hearing was conducted on November 17, 2003 for the Provinceton development.

Other Considerations

Greenway Changes Since the Original NCP

- On or about 2000, the City after working for several years with the Agricultural Advisory Committee (AAC) on a greenway strategy in farmland, gained a general endorsement from the AAC that greenways within existing transportation corridors would be supported. This decision opened the door to constructing a greenway pathway continuously along Fraser Highway from Fleetwood to Langley. This new greenway became a central decision making factor in developing the new Provincetown layout.
- In 2003, the Provincetown rezoning allowed for the creation of a strong, direct greenway link along the 180 Street corridor between the Fraser Highway and the Cloverdale Greenway.
- In 2006, the Fraser Highway Greenway was constructed. This is the northerly terminus for the 180 Street greenway pedestrian corridor.
- In 2007/2008/2009 and 2010, the Cloverdale Greenway was constructed. This is the southerly terminus for the 180 Street greenway pedestrian corridor through North Cloverdale.

School and Park Development

- In the original NCP, the 182 Street Greenway was a discontinuous and indirect corridor between the Fraser Highway Greenway and the Cloverdale Greenway. To further impact this discontinuity, in 2004/2005, preliminary planning discussions between the School District and the Engineering Department suggested that a continuous greenway through the site for the planned Adams Road Elementary School and adjacent park (68 Avenue and 182 Street) would be problematic for the School District for CPTED reasons. As a result the 182 Street corridor was determined to be an ineffective pedestrian route through the neighbourhood.
- In 2008, the Province approved funding for the construction of Adams Road Elementary School. Formal plans and layout have precluded the opportunity for a continuous greenway through the site.
- In 2010, the Adams Road Elementary School and parental advisory group wrote to the City to indicate the importance of having the pedestrian bridge on the 180 Street alignment available for use upon the planned School opening in the fall of 2010.
- The Adams Road School website advertises that the pedestrian bridge at 180 Street is intended to be opened for the opening of the Adams Road Elementary School in the fall of 2010. A large interest group would very probably lobby for the pedestrian bridge at 180 Street should the City decide not to proceed at this time.

North Creek Bridge Funding Background

- In 2007, the City received a Local Motion grant in the amount of \$450,000 from the provincial government towards the construction of the bridge. Total funding at the time from all sources was \$1.0 million.
- In 2008, tenders were received by the City for the bridge project. The lowest bid was \$2,500,000. The higher costs were the result of environmental requirements to span the entire ravine as well as dramatic construction cost increases in the pre-Olympic construction period.

- In 2008/2009, a value engineering process changed design parameters and environmental approvals to allow piers within the ravine to reduce span lengths and costs. The cost estimate for the new design was estimated at \$1.7 million.
- In April 2009, Local Motion approved an additional grant amount of \$350,000, to be matched by the City, to increase funding levels to \$1.7 million.
- A new tender recently closed for the new bridge design with the preferred bid being \$903,000.

Public Information Meeting

- The City held a public open house on December 15, 2009 to discuss design considerations for the bridge on the 180 Street alignment.
- Approximately 40 comment sheets were submitted representing 30 households.
- Of the households represented, 20 were in support of the bridge while 10 were opposed in principle to the bridge location. Of those in favour, 3 households indicated preference for the bridge to be located at 182 Street.
- Numerous residents in favour, verbally indicated concern that opposition could stop the bridge from being built and suggested they would counter-petition should the need arise.

DISCUSSION

Issues Raised by Mr. Gagnon

Construction Impacts

Prior to the delegation before Council, Engineering staff worked with Mr. Gagnon to address his concerns related to construction (see letter in Appendix II). The construction specifications have been modified to include a maximum allowable peak particle velocity (vibration intensity) and a requirement to monitor the vibration intensity during the estimated two-day duration of pile driving. In addition, pending the written agreement of Mr. Gagnon, vibration monitoring instrumentation will be installed on his property and a pre-construction and post-construction assessment will be carried out of his residence to document condition and to conclusively identify if construction caused any damage. The project engineer has advised that it is very unlikely that any vibration-related damage will occur to Mr. Gagnon's house but, if it does, repairs will be carried out to Mr. Gagnon's satisfaction.

Location of Bridge

Mr. Gagnon has raised several points of concern regarding the planning process. These are listed below and following each is staff's response in italics:

- The location of the bridge (at 180 Street) contravenes the NCP which shows the crossing at 182 Street.

The bridge location was changed, along with subdivision and roadway layout changes, through the rezoning process for the Provinceton project to the north of North Creek during the period between 2002 and 2004.

- Although the North Cloverdale West NCP was amended in 2007, 2008, and 2009 the amendments did not show the 180 Street alignment from the pedestrian bridge across North Creek.

The North Creek crossing at 180 Street was addressed throughout the rezoning process for the Provincetown project as referenced earlier in this report. Unfortunately, when the NCP land use map was amended new land use changes were shown; however, the new (180 Street) location for the pedestrian bridge was not shown. This is being corrected.

- There are no Council resolutions to move the crossing from 182 Street to 180 Street.

Relocation of the crossing was approved by Council as part of the rezoning process for the Provincetown rezoning application as referenced earlier in this report.

- There has been no public hearing specific to moving the crossing from 182 Street to 180 Street.

There is no requirement, nor is it City practice, to hold a public hearing regarding amendments to an NCP land use plan; nevertheless, a public hearing regarding the Provincetown rezoning application, including the relocation of the bridge crossing, was held on November 17, 2003 as referenced earlier in this report.

- Although Pre-notification and Public Information meetings were held on March 12, 2003 and April 22, 2003, respectively, Mr. Gagnon and his neighbours did not receive any notice.

The City's records indicate that Mr. Gagnon and his neighbours were sent a Pre-notification letter on March 12, 2003.

- The 180 Street crossing project Open House held on December 15, 2009 presented information but did not allow input against building the bridge.

The location of the bridge was approved by Council, as part of the rezoning process for Provincetown in 2003 and the 2009 Open House was not intended to re-open that decision but rather focus on the design particulars on the 180 Street alignment.

- There was no public consultation or information provided for over six years prior to the Open House, at which time the bridge was presented as a "fait accompli".

Based on City records, for several years prior to the Open House, both Mr. Gagnon and his neighbours had numerous discussions with City staff regarding the crossing and proposed bridge construction and were fully aware of the plan.

- The City approved the development of Mr. Gagnon's lot (6858 – 180 Street) extending into former road allowance and thus now placing the side yard property line 5.5 meters from the centreline of the proposed pathway approach to the bridge. This only makes sense if the bridge is located at 182 Street.

The closure of road allowance and development of this lot occurred in 1997, prior to the decision to locate the pedestrian crossing at 180 Street. The 5.5-meter space between side yard and pathway approach is still ample for fencing and privacy screening in relation to the pathway approach to the proposed bridge.

- How can the bridge expenditure be justified; the bike path can't cross Fraser Highway other than at 176 Street or 184 Street and the walking distance to school is within guidelines without the bridge.

A connection of 72 Avenue to Fraser Highway in the vicinity of 180 Street will be examined at the time of property redevelopment to the north of the Fraser Highway and thus a crossing at this location may occur. The walking distance from Provincetown to the Adams Road Elementary School will be reduced by as much as 1.4 kilometres with the proposed bridge; a significant reduction for elementary school aged children.

- There are concerns that the bridge will attract vandals and anti-social activity, create a fire hazard for the ravine and pedestrian safety issues at 180 Street and 68 Avenue.

The design of the bridge is based on CPTED principles and allows for an unobstructed line of sight from the cul-de-sac at both ends of the bridge thus offering passive surveillance by those at either end of the bridge. This will discourage anti-social activity. The hazard of possible fire occurrence would be equal at either bridge location and, given that there is already public access to the ravine, is not substantially increased. Pedestrian volumes at the intersection of 180 Street and 68 Avenue will be monitored following construction of the bridge and any required safety measures implemented in accordance with City-wide practice.

Scheduling Considerations

Tree Clearing:

Tree clearing was required for the approaches to the bridge and this activity was carried out on March 5, 2010; outside the bird nesting season which commences in mid-March and extends until mid-summer. Waiting until after the nesting season was not a viable option due to timing constraints attached to project funding; the North Creek Bridge is being funded 50% by the Province under the Ministry of Community and Rural Development's Local Motion Program. The Local Motion Program expires on March 31, 2011, and funded projects must be completed by this date to receive the granted funds. Consequently, it was important that the tree clearing be completed in advance of the 2010 bird nesting season so that project construction can be completed within the timeframe during which the Local Motion grant is available. There is also an expectation on the part of families that live to the north of the North Creek ravine that the bridge will be in place by the fall of 2010 to coincide with the opening of the Adams Road Elementary School on the south side of the ravine.

A bird nest survey was conducted by a Registered Professional Biologist on March 2, 2010 with a conclusion that tree removal would be acceptable prior to March 9, 2010. Consequently, the Engineering Department, through a contractor, removed approximately twenty protected trees within the ravine to facilitate the construction of the North Creek Pedestrian Bridge. All of the tree removal occurred within the City's unopened 180 Street road allowance between the 6800 and 6900 blocks and the Engineering Department made every effort to retain as many trees as practicable. Should the bridge not be built, trees will be replanted to replace those that were removed for the project.

Tender Price:

The tender for bridge construction closed on February 23. The low bid of \$903,000 is 55% of the pre-tender estimate and well below the budget for the project. This very favourable price supports the City's strategy of early tendering of 2010 capital works. This tender is valid for 60 days and an award must be made within this time frame or the tender price expires. A report recommending an award of the contract for the project will be included on the same Council agenda as this report. To re-tender at a later date will quite probably result in a higher cost for the project.

Implications of Not Proceeding with Bridge Construction

To summarize, should the City not promptly proceed with construction of the North Creek Pedestrian Bridge in accordance with current plans, the following will result:

- Completion of the project by March 31, 2011 will not be possible and the grant (\$800,000) from the Local Motion Program for 50% of the cost could be lost;
- Failure to deliver the project will result in loss of credibility for the City with its funding partners, which may in turn affect the potential for future infrastructure grants from other levels of government;
- The expectations of the families that live on the North side of the North Creek ravine is for the bridge to be in service by the fall 2010 for use by elementary school students to access the new Adams Road Elementary School. There will likely be significant disappointment if this schedule is not met.
- The current tender price for construction of the bridge is very favourable, at 55% of the pre-tender estimate. Should any delay to the project require re-tendering later in the year or beyond, it is very unlikely that such a favourable price will be maintained; and
- Relocating the Bridge to 182nd Street would bring similar concerns from people living on that cul-de-sac and result in a less favourable location for the pedestrian greenway.

CONCLUSION

Based on the above discussion it is recommended that Council:

- Authorize staff to proceed with all necessary actions to construct the North Creek Pedestrian Bridge on the 180 Street alignment; and
- Authorize the City Clerk to forward a copy of this report and the related Council resolution to Mr. Pierre Gagnon, who appeared before Council as a delegation regarding the construction of the North Creek pedestrian bridge.

Vincent Lalonde, P.Eng.
General Manager, Engineering

VL/KZ/brb

Appendix I - Map of Location of North Creek Pedestrian Bridge
Appendix II - Letter to Mr. Gagnon

APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: February 26, 2009, AW

Date of Aerial Photography: April 2009



NORTH CREEK PEDESTRIAN BRIDGE SITE

ENGINEERING
DEPARTMENT

The data provided is compiled from various sources and IS NOT warranted as to its accuracy or sufficiency by the City of Surrey.
This information is provided for information and convenience purposes only.
Lot sizes, legal descriptions and encumbrances must be confirmed at the Land Title Office.

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the future lives here.

February 17, 2010

File: 1707-4013

REPLY TO: Utilities Division
ATTENTION: Doug Mossey, EIT

Pierre Gagnon
6838 - 180 Street
Surrey, B.C.
V3S 9K2

Dear Mr. Gagnon:

Re: North Creek Pedestrian Bridge

This is in response to your letter of February 10, 2010, to Mayor and Council which has been forwarded to the Engineering Department for a reply.

The City of Surrey Engineering Department has decided to halt any and all on-site action regarding the North Creek Pedestrian Bridge project until your delegation has been heard by City Council. This will include a hold on tree cutting at the site, as per your request.

In addition, as per the verbal response already given to you by Doug Mossey, an addendum to the tender contract has been issued to include both vibration monitoring and a peak particle velocity limit adjacent to your residence.

Finally, we are presently working on drafting an agreement to perform pre-construction and post-construction assessments of your residence. Doug Mossey will contact you as soon as this document becomes available. Thank you.

Yours truly,

A handwritten signature in black ink, appearing to read "K.D. Zondervan".

K.D. Zondervan, M. Eng., P.Eng.
Design & Construction Manager

DVM:hrb

c.c. - General Manager, Engineering

City of Surrey
2475 152 Street