

TO: MAYOR & COUNCILLORS
FROM: GENERAL MANAGER ENGINEERING
SUBJECT: **BOUNDARY ROAD MAINTENANCE AGREEMENT**
PURPOSE: To seek approval for a new Boundary Road Maintenance Agreement with the City of Vancouver.

RECOMMENDATION

THAT the City Solicitor be authorized to bring forward a bylaw to permit the execution of a new Maintenance Agreement for Boundary Road, between the City of Vancouver and the City of Burnaby, as outlined in **Attachment 1** of the report titled “Boundary Road Maintenance Agreement” dated August 26, 2024.

1.0 POLICY SECTION

Entering into a new Maintenance Agreement for Boundary Road is aligned with the City of Burnaby's Corporate Strategic Plan (2022).

2.0 BACKGROUND

In 1992, Council approved the recommendation of the Director Engineering that an agreement be entered into with the City of Vancouver for the maintenance of Boundary Road, to be effective upon receipt of approval from the Minister of Municipal Affairs. The Minister of Municipal Affairs approved the bylaw on June 16, 1992. The original agreement has been renewed several times, most recently in 2019. The current agreement will expire on October 27, 2024, and a new agreement is required.

3.0 GENERAL INFORMATION

The terms and conditions of the proposed new Boundary Road Maintenance Agreement remain substantially the same as the current agreement with only minor housekeeping updates and clarifications, including:

- (a) section 1(c) - addition of “structural repairs” to the definition of “Maintenance”;
- (b) section 1(d)(iv) – addition of “detectors” to the definition of “Shared Facilities”;
and
- (c) sections 1(e)(i) and (ii) – addition of “utility frames and covers” and “furniture” to the definition of “Non Shared Facilities”.

The new Boundary Road Maintenance Agreement is proposed to be in effect for a term of five years commencing on October 28, 2024, and expiring on October 27, 2029. The agreement provides for 50-50 cost sharing and outlines the division of duties for maintenance along Boundary Road. This includes maintenance of pavement, signing, lighting, traffic signals, overpasses and boulevards. Each party agrees to identify the other in respect of the performance of its obligations under the agreement. To date, Burnaby staff have had a good working relationship with City of Vancouver staff under the current agreement and as such, no major changes are proposed. Please refer to Attachment 1 for the form of the proposed new Boundary Road Maintenance Agreement.

Under the terms of the new Boundary Road Maintenance Agreement, the City of Burnaby and the City of Vancouver may on occasion have to undertake the maintenance work beyond its own boundaries and in the other municipality. Under section 192.1 of the *Vancouver Charter*, an agreement between the City of Vancouver and another municipality, such as the City of Burnaby, involving the joint exercise of powers beyond the boundaries of the City (as is contemplated in the new Boundary Road Maintenance Agreement) requires that a bylaw be adopted by each respective Council.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

Not applicable.

5.0 FINANCIAL CONSIDERATIONS

Not applicable.

Respectfully submitted,
May Phang, P.Eng., General Manager Engineering

ATTACHMENTS

Attachment 1 – Boundary Road Maintenance Agreement

REPORT CONTRIBUTORS

This report was prepared by Hugo Saito, Engineering Project Technologist, and reviewed by Sharon Wishnowsky, Staff Solicitor, and Jennifer Wong, Assistant City Solicitor.