

File No. 04-1000-20-2016-301

October 19, 2016

s.22(1)

Dear s.22(1)

Re: **Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")**

I am responding to your request of August 19, 2016 for:

All road and sidewalk construction records for the area intersecting Pender Street West and Beatty Street North (where Beatty ends at Pender), specifically when the pedestrian sidewalk was installed or repaired. Time frame is from when the sidewalk was originally installed.

All responsive records are attached. To better understand the records provided, the Acting Director of the Streets Division provided the following information:

The sidewalk in question was not installed by City crews. An areaway that runs under the back of the sidewalk in front of the Sun Tower on the east side of Beatty and the south side of Pender was damaged in June 2014 by a contractor operating a Boom Lift working for the Sun Tower (see attached photo on page 7). The damaged asphalt sidewalk was replaced with a concrete sidewalk later in 2014 by a contractor working for the Sun Tower (see attached Street Use Permit on page 1).

The photo on page 8 (from Google Map) will show you the new concrete sidewalk that was installed over the areaway, and the Utility Company (Optic Zoo) that cut into the sidewalk installing an underground conduit (they are working at the manhole in the photo).

The photo on page 9 is of the damage done by Optic Zoo where they sawed through the concrete sidewalk overtop of the areaway (the paint outlines the cut area).

The photo on page 10 is of the asphalt sidewalk that runs against the Sun Tower building down the south side of Pender which also contains the areaway.

The photo on page 11 is an aerial shot (from VanMap) of the Sun Tower showing the new concrete sidewalk that was installed on Beatty, as well as the existing areaway (in blue) that runs under the sidewalk against the Sun Tower building on Beatty and Pender.

Under section 52 of the Act you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your request. The Act allows you 30 business days from the date you receive this notice to request a review by writing to: Office of the Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number assigned to your request (#04-1000-20-2016-301); 2) a copy of this letter; 3) a copy of your original request for information sent to the City of Vancouver; and 4) detailed reasons or grounds on which you are seeking the review.

Please do not hesitate to contact the Freedom of Information Office at foi@vancouver.ca if you have any questions.

Yours truly,

A handwritten signature in black ink, appearing to read 'Barbara J. Van Fraassen', with a long, sweeping underline.

Barbara J. Van Fraassen, BA
Director, Access to Information
City Clerk's Department, City of Vancouver

Encl.

:kt



Engineering Services
507 W. Broadway
Vancouver B.C. V5Z 0B4
Tel: 604-871-6730 Fax: 604-873-7255

Street Use Permit

Section:
Status: **Issued**

Issue Date Aug 19, 2014		City of Vancouver - Engineering Dept.		Permit number E1 14 276572 00
Related Permits			Location 128 W PENDER ST	
Permit Applicant HEATHERBRAE BUILDERS CO LTD 12371 Horseshoe Way Richmond, BC CAN V7A 4X6		Additional Contact Information Contact Name Contact Phone # (604) 738-0048		
Project Description To reconstruct 83 sq mt of concrete sidewalk over rebuilt area way on Beatty St.				
Restrictions <ul style="list-style-type: none"> - Placement of any building material, equipment or excavation spoil on City property requires the prior approval of the General Manager of Engineering Services (City Engineer). - Violation of this permit by the holder or his subcontractors or suppliers will result in the revocation of this permit by the general manager of engineering services. - No excavation may begin without issuance of a Building Permit. - All work is to be completed to the satisfaction of the General Manager of Engineering Services (City Engineer). - Work is subject to on site approval of grades and design. - Pedestrian safety and movement to be maintained at all times. *except as noted. - All truck operators must operate the vehicle in a safe and courteous manner and in full compliance with Motor Vehicle Regulations. - All truck operators must comply with City of Vancouver By-laws regulating truck use, including routes, engine brake noise, weight and load securement provisions. - For refund of deposits please call (604) 873-7216 or (604) 871-6439. 				
<p>FOR INSPECTIONS CALL: 604-873-7706 (24H in advance)</p> <p>Our Inspector <u>must</u> inspect <u>formwork, grades</u> and <u>ground conditions</u> before any repair begins.</p>				
<p>This permit shall be kept available on the site for presentation to Police Officers or City Inspectors. It is understood that the permit holder will indemnify and save harmless the City of Vancouver from any loss or expense which may arise in consequence of, and here incidental to the granting of this permit. This permit may be revoked at any time by the General Manager of Engineering Services</p> <p>The deposits collected here may be used for repairs to any damage to public property and /or services and service connections and will be held until the project has been fully completed and inspected by Engineering Staff. Partial refunds will not be generally granted.</p>				
Applicant (permit holder) Property Owner or Agent Signature			Issued by: Thobhani, Arzina On behalf of the General Manager of Engineering Services	
Signature: Print name:				
Fees / Deposits / Charges / Payments				
St / Sdvk Repair Fee (GST applicable)	\$378.94	Eng Dev Services GST *TX	\$18.95	
Fees / Deposits / Charges TOTAL	\$397.89	Payment (receipt #1738701) TOTAL	(\$397.89)	

Blue - Streets
Green - Streets
Pink - Originating Office

CITY ENGINEERING SERVICES
RECORD OF CUTS AND/OR DAMAGED SURFACES

764926

(22)

This form is to be completed by the Foreman in charge of a crew making a cut and/or causing damage to a surface, and forwarded to Streets Operations for Permanent Repairs.

Cut(s) made by: OPTIC 200 No. of cuts: 4 No. of records: 1 of 1

Location of cut: E/S 500 blk Beatty

Site address if different from above: 128 W Pender DWG # 02-0031-0639

Cut(s) made in: Street; Shoulder; Lane; Sidewalk; Crossing; Curb; Blvd; Other

Surface type: light asphalt; heavy asphalt; concrete; spraycap; gravel; turf; Other

Purpose of cut(s): U/G service

Dimensions of cut(s):

Thickness of surface cut(s): Depth of excavation(s):

Backfilled with: Temporary repaired with: Condition of Temp. repair: Needs Attention

Compacted by: hand tool; air tamper; mechanical tamper; or

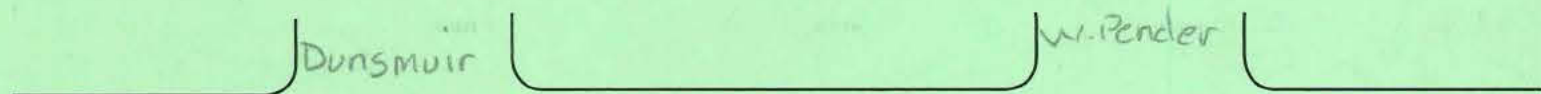
Foreman's Comments Work Order No. 20063768

B.W.O. No.:

Permit No.

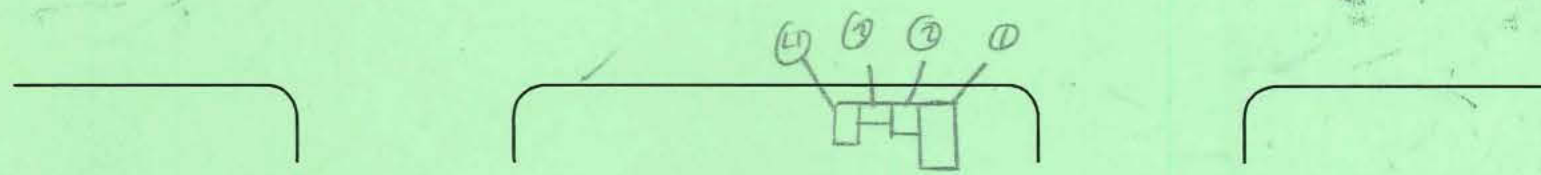
Foreman's Signature Date: June 29/16 Superintendent's Signature

For Permanent Repair



Beatty

N ->



Street's Inspector's cut measurements:

Table with 4 columns of cut measurements: 1.2x3.9', 1.2x1.7', 0.9x1.2', 1.2x1.3' with circled numbers 1, 2, 3, 4 below them.

Bus Stop to be moved: Traffic cones required: No parking signs required: Meters to hood: Traffic restrictions: 7-9 4-6

Street's Inspector's Comments:

Street's Foreman's Comments: Foreman's Signature Date Completed

Units Completed CREW #

Summary table with columns: Units Charged (9.36), Work Order ERF (200), TOTAL \$ (1,805.73), CODE (DO), RATE (192.92), and 180921.

From: "[Arroyo, Rodel](mailto:rodel.arroyo@vancouver.ca)" <rodel.arroyo@vancouver.ca>
To: "[Brown, Ken](mailto:ken.brown@vancouver.ca)" <ken.brown@vancouver.ca>
Date: 10/14/2016 10:30:39 AM
Subject: FW: 128 W Pender St

FYI

Thanks,

Rodel

From: Jim Ferguson [<mailto:jim.ferguson@opticzoo.com>]
Sent: Monday, May 09, 2016 1:44 PM
To: Arroyo, Rodel
Subject: FW: 128 W Pender St

Info pasted below from thread between building company and Optic Zoo:

From: Sprecom Client Services <clientservices@sprecom.com>
Sent: May 3, 2016 1:17 PM
To: Larry Boule
Subject: RE: Optic Zoo Networks Fibre Install 128 West Pender Vancouver BC - Sprecom Approval (VANBC0005-3)

Hello Larry,

Thank you for your response.

I will be happy to coordinate access for work to begin. May you please advise of a date and time for when you wish to gain access? Once I have this information I will contact the building operator to arrange.

Warm regards,

Sarah

Sarah Maher
[SPRECOM Inc.](#) | [Untangling Your World™](#)
Ph. 403 284 9810 | Fax. 403 284 9818
Email. clientservices@sprecom.com

From: Larry Boule [<mailto:larry.boule@opticzoo.com>]
Sent: 3-May-16 9:00 AM
To: Sprecom Client Services <clientservices@sprecom.com>
Subject: Fw: Optic Zoo Networks Fibre Install 128 West Pender Vancouver BC - Sprecom Approval (VANBC0005-3)

Hello Rob,

See our confirmation of compliance in red below.

Please let me know when we could arrange access to start the installation.

Thank you for the help,

Cheers,

Larry Boulé

Optic Zoo Networks Ltd.
604-889-0361
larry.boule@opticzoo.com

From: Sprecom Client Services <clientservices@sprecom.com>

Sent: May 2, 2016 2:54 PM

To: Larry Boule

Cc: 'Deborah Cousins'; 'Sherri Hetherington'; 'Kim Lister'; mnagribianko@Alliedreit.com

Subject: FW: Optic Zoo Networks Fibre Install 128 West Pender Vancouver BC - Sprecom Approval (VANBC0005-3)

Hi Larry,

Sprecom has reviewed the scope of work and plan (attached) for the proposed Optic Zoo Networks Optical Fibre Installations (into the building and to Fully Managed) at 128 West Pender Street, Vancouver, B.C.

Please be advised that the installations are approved (as shown and described in the attached plan and sow) along with the following conditions.

Conditions

1. The Fibre Entrance Panel (FEP) installed in the P1 electrical room is to be placed in a location that will not interfere with existing or future communication or electrical equipment or cabling installations; **We will find wall space that is clear of obstructions and cabling and does not appear to interfere with any existing or future equipment.**
2. The FEP and EMT conduits are to be bonded to ground; **Confirmed**
3. The riser sleeves and conduits used to run the 12 sm fibre are to be sealed with a ULC Listed Firestop System. Send the ULC Listed Firestop System Number along with the manufacturers installation instructions to Sprecom for approval before installation. Info can be sent to clientservices@sprecom.com or faxed to 403-284-9818; **Spec sent on Apr 28 2016**
4. Install "Optic Zoo Networks" labels on all Optic Zoo equipment (FEP, FPP, Pull Box & cable). Note that the 12 sm fibre is to be labeled in each riser room as follows: "12 sm fibre tie from Optical Zoo POP to Suite 600"; **Confirmed**
5. The landscaping/grounds must be restored to original condition (if grounds were disturbed while installing conduit into the building); and **Yes this will be done up to City of Vancouver standards**
6. Work must not disturb tenants. **Confirmed. We will however need access to risers on all floors from 6 down to the basement.**

Please reply to this email acknowledging your acceptance of the above conditions.

Once we have received your acceptance (of the conditions) and the firestop info access to the site can be arranged.

Also, allow \$300 for Sprecom Services (CI plan review, inspection and report).

Please let us know if there are any questions.

Cheers,

Rob Porter, RCDD, CD
SPRECOM Inc. | [Untangling Your World™](#)
Ph. 403 284 9810 | Fax. 403 284 9818
Email. clientservices@sprecom.com

From: Larry Boule [<mailto:larry.boule@opticzoo.com>]

Sent: April 28, 2016 10:41 AM

To: Sprecom Client Services <clientservices@sprecom.com>; Deborah Cousins <dcousins@Alliedreit.com>

Cc: Sherri Hetherington <shetherington@Alliedreit.com>; Kim Lister <klister@Alliedreit.com>

Subject: Re: Building Access Agreement for 128 West Pender - Optic Zoo Networks

Hello,

As per your request I am forwarding the attached information for you review and to include with a Building Access Agreement for 128 W Pender.

As the customer has an urgent need to have this fibre connection available when they move in I appreciate your attention to helping me get a Building Access Agreement in place as soon as possible so we can start our work.

Thanks in advance for your help,

Regards,

Jim Ferguson

Optic Zoo Networks



cell: 604-785-1789

office: 604-664-7720 ext: 304

jim.ferguson@opticzoo.com

From: Jim Ferguson

Sent: May 9, 2016 1:01 PM

To: Rodel Arroyo - CoV (rodel.arroyo@vancouver.ca) <rodel.arroyo@vancouver.ca>

Subject: FW: 128 W Pender St

See attached.



Optic Zoo Networks

Project Manager

cell: 604-785-1789

office: 604-664-7720 ext: 304

jim.ferguson@opticzoo.com

From: Jim Ferguson

Sent: May 4, 2016 9:43 AM

To: 'Arroyo, Rodel' <rodel.arroyo@vancouver.ca>

Subject: RE: 128 W Pender St

Hello Rodel,

Attached is the email chain with approval from building management company to perform work as outlined, only condition provided by them for the entrance into building was to restore to original conditions which we agreed to. (See condition #5 listed on attached)

Please let me know if this is acceptable for us to proceed with permit release.

Jim Ferguson

Optic Zoo Networks

Project Manager

cell: 604-785-1789

office: 604-664-7720 ext: 304

jim.ferguson@opticzoo.com

From: Arroyo, Rodel [<mailto:rodel.arroyo@vancouver.ca>]
Sent: May 4, 2016 9:21 AM
To: Jim Ferguson <jim.ferguson@opticzoo.com>
Subject: 128 W Pender St

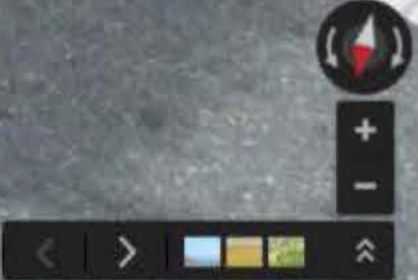
Hi Jim,

We have identified that there is an existing active areaway on the east side of Beatty St which will conflict with your proposed build to 128 W Pender St. Optic Zoo is required to obtain permission/acknowledgement from the owner to use or modify the areaway structure. Please have this document in writing and submit to us before we can approve the drawing.

Thanks,

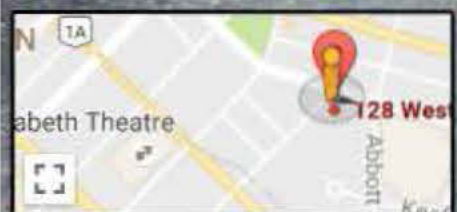
Rodel



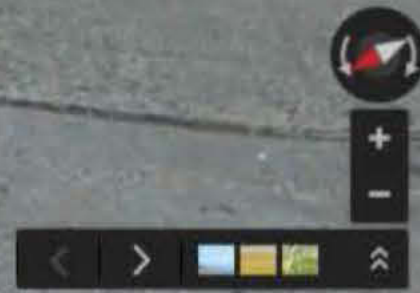




500 Beatty St
Vancouver, British Columbia
Street View - May 2016



Google





500 Beatty St

100 W Pender St

128

518

525