



To: Richmond City Council

Date: March 15, 2004

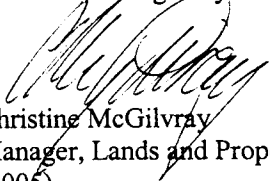
From: Christine McGilvray
Manager, Lands and Property

File: 06-2285-30-090/Vol 01

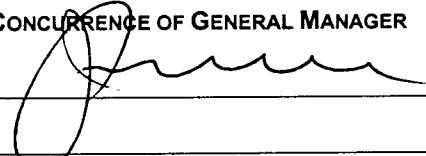
Re: Right of Way Over Portion of 8911 Westminster Highway for BC Hydro
Undergrounding/Beautification on Westminster Highway Between No. 3 and Garden City
Road

Staff Recommendation

That Council grant a right of way in favour of BC Hydro over a portion of City-owned land at 8911 Westminster Highway.


Christine McGilvray
Manager, Lands and Property
(4005)

Att.

FOR ORIGINATING DIVISION USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Engineering.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Law	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

Origin

The City-owned land at 8911 Westminster Highway (the north-west corner of Westminster Highway and Garden City Road) is leased long term to the Canadian Mental Health Association. The site is developed with a small apartment building providing affordable/assisted housing. The City requires a right of way over its own land to accommodate hydro facilities for undergrounding hydro service along Westminster Highway between No. 3 Road and Garden City Road.

Findings Of Fact

The City's Engineering Planning section has applied for and been granted undergrounding/beautification funding by BC Hydro for Westminster Highway between No. 3 Road and Garden City Road. This necessitates the City acquiring four rights of way for BC Hydro from different sites to accommodate hydro transformers. Three of the sites are on private property. One of the three is in the process of rezoning and the required right of way will be secured through that application. The fourth site identified the City-owned land at 8911 Westminster Highway, where a transformer already exists in the landscaped area along the west property line (fronting Arcadia Road). The new transformer will be placed alongside the existing transformer, and the landscaping will be re-configured around it.

Analysis

The property at 8911 Westminster Highway is secured by long term land lease to the Canadian Mental Health Association. The administration of that Association has been approached and is agreeable to consenting to the right of way over the leased land.

Council approval is now required to grant the right of way to Hydro, as a disposition of land under the Community Charter. The City is also required to advertise its intended disposition in the local media.

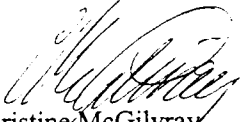
In order to secure the beautification grant for the portion of Westminster Highway from No. 3 Road to Garden City Road, Hydro is required to show that the project has "commenced" by March 31, 2004. While final approval on the other sites is still under negotiation, progress has been made and there appears to be cooperation from the other property owners affected. It is anticipated that remaining rights of way will be secured in the next month or so. The granting of the right of way on the City-owned property will constitute sufficient "commencement" for Hydro's grant purposes.

Financial Impact

The City will bear the cost of the right of way plan (\$350.00 plus GST); registration of the right of way document (\$60.00); advertising in the local press (estimated at approximately \$800.00); and minor landscape work. These types of costs are accounted for in the City's approved undergrounding/beautification project cost share.

Conclusion

Council approval of the right of way granted in favour of BC Hydro, is required.



Christine McGilvray
Manager, Lands and Property
(4005)

**EXPLANATORY PLAN OF
 STATUTORY RIGHT OF WAY OVER
 PART OF LOT 1 SECTIONS 3 AND 4
 BLOCK 4 NORTH RANGE 6 WEST
 NEW WESTMINSTER DISTRICT PLAN LMP69**

PLAN BCP _____

Deposited in the Land Title office
 at New Westminster, B.C. this _____ day
 of _____, 200 .

PURSUANT TO SECTION 99(1)(e), LAND TITLE ACT

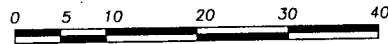
B.C.G.S. 92G.015

FOR PUBLIC UTILITY PURPOSES

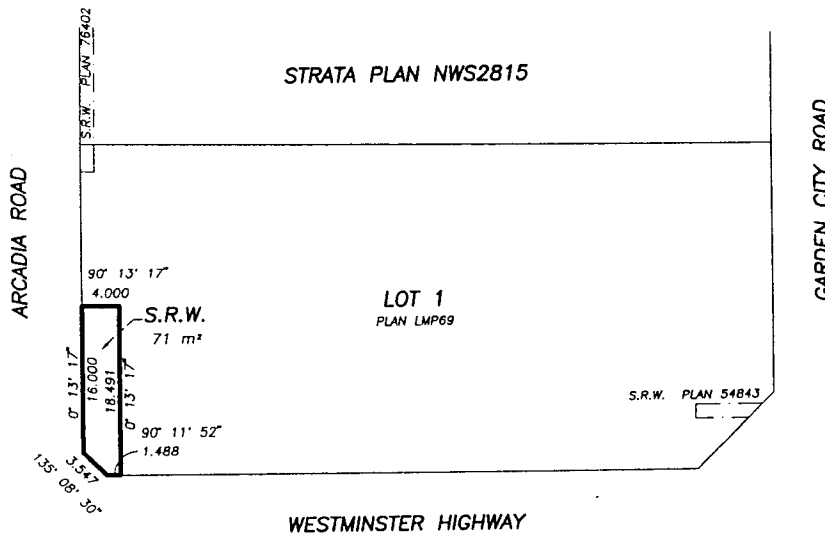
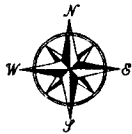
Deputy Registrar

Ref: _____

SCALE: 1:500



ALL DISTANCES ARE IN METRES AND DECIMALS
 THEREOF UNLESS OTHERWISE INDICATED



Grid bearings are derived from Plan LMP69.
 This plan lies within the Greater Vancouver Regional District.

J. C. Tam and Associates
 Canada and B.C. Land Surveyor
 115 - 8833 Odlin Crescent
 Richmond, B.C. V6X 3Z7
 Telephone: 214-8928
 Fax: 214-8929
 E-mail: jctam@telus.net
 Job No. 2433
 Drawn By: JT

Certified correct according to
 Land Title Office records
 this 12th day of March, 2004.

JOHNSON C. TAM, B.C.L.S.

DWG No. LC-0202