



To: General Purposes Committee **Date:** September 29, 2015
From: Andrew Nazareth **File:** 06-2285-30-187/Vol 01
 General Manager, Finance and Corporate Services
Re: **Statutory Right of Way over a Portion of 23560 Westminster Highway**

Staff Recommendation

That:

1. the City secure a statutory right of way over ±272.5m² portion of 23560 Westminster Highway (PID: 027-095-878) from the British Columbia Transportation Financing Authority for Five Thousand Dollars (\$5,000.00) including applicable taxes; and
2. the Chief Administrative Officer and the General Manager, Finance & Corporate Services be authorized to negotiate and execute all documentation to effect the transaction detailed in the staff report, dated September 29, 2015, including all agreements and Land Title Office documents.

Andrew Nazareth
 General Manager, Finance and Corporate Services
 (1-604-276-4095)

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Finance	<input checked="" type="checkbox"/>	
Parks	<input checked="" type="checkbox"/>	
Law	<input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: 	APPROVED BY CAO

Staff Report

Origin

Real Estate Services received an unsolicited offer from the British Columbia Transportation Financing Authority (the “Owner”) to grant the City a Statutory Right of Way (“SRW”) area over a portion of unimproved lands located at 23560 Westminster Highway (the “Property”) (Attachment 1). The SRW is directly adjacent to a portion of an existing City pedestrian trail in the Hamilton neighborhood. The Owner is contemplating a disposition of the Property in the near future and the SRW was offered by the Owner to provide an additional greenway buffer area to enhance and protect the pedestrian trail from any possible future development on the Property.

This report supports Council’s 2014-2018 Term Goal #2 A Vibrant, Active and Connected City:

Continue the development and implementation of an excellent and accessible system of programs, services, and public spaces that reflect Richmond’s demographics, rich heritage, diverse needs, and unique opportunities, and that facilitate active, caring, and connected communities.

2.3. Outstanding places, programs and services that support active living, wellness and a sense of belonging.

Analysis

The pedestrian trail in the Hamilton neighborhood is approximately 1000m in length, 6m in width, and generally runs in a north south direction from Westminster Highway (Attachment 2) south to Hamilton Community Centre/Park at Smith Drive. This trail provides convenient pedestrian access to the Highway 91 pedestrian overpass (which leads to Hamilton Hwy Park), the Hamilton Community Centre/Park and to Hamilton Elementary School.

The proposed SRW area is approximately 272.5m² (181.5m in length and 1.5m in width) (Attachment 3). Parks and Real Estate Services agree that the SRW area will provide an additional natural greenway area to the existing greenway bordering the trail. This will therefore create an extra 1.5m buffer from any future development on the Property.

The City is being offered the SRW area by the Owner at a one-time cost of \$5,000.00 (including applicable taxes) to cover survey costs, conveyancing and title registration. The SRW agreement may include that the City indemnify and release the Owner for losses sustained from the City’s use of the SRW area. The City will hold this SRW area in perpetuity. Parks will have similar rights to the SRW area as compared to the existing trail and as such will repair and maintain the SRW area and include it in their maintenance schedule.

Financial Impact

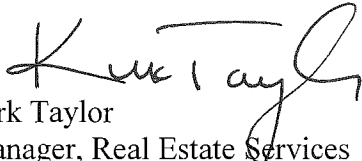
The \$5,000.00 is required for the associated costs to set up the SRW (survey costs, conveyancing and title registration) will be funded by Parks’ Advanced Planning and Design account. There is

no cost for the actual SRW area.

The OBI has been estimated at \$300.00 per year for Parks to add the SRW area to the maintenance schedule for the existing trail.

Conclusion

Staff recommend securing this SRW on the Property and are therefore seeking Council's approval to proceed with this matter.



Kirk Taylor
Manager, Real Estate Services
(604-276-4212)

KT:kb

- Att. 1: Labelled Aerial
- 2: Photo of Westminster Highway Trail End
- 3: Proposed SRW Plan

Attachment 1
Labelled Aerial



Attachment 2
Photo of Westminster Highway Trail End



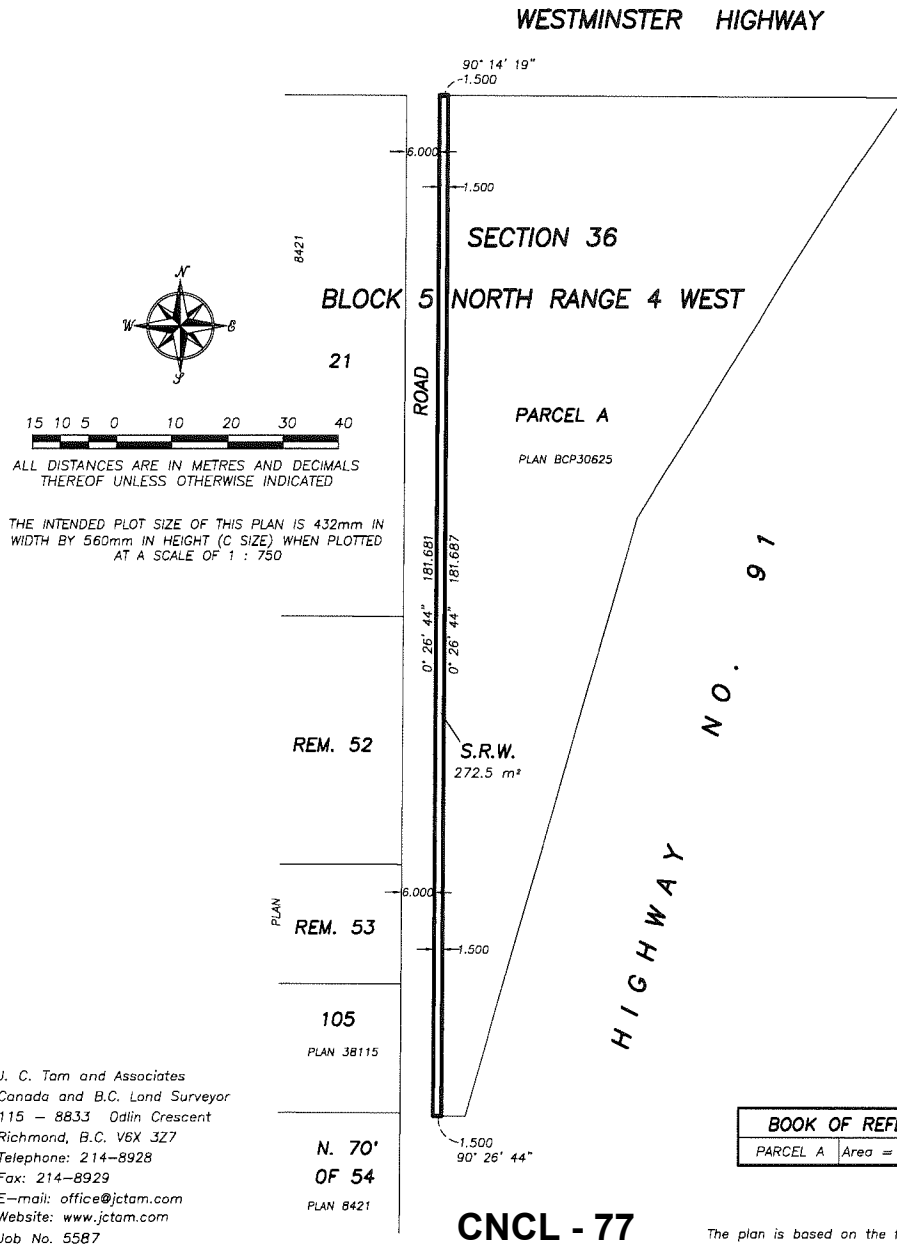
Attachment 3
Proposed SRW Plan

**EXPLANATORY PLAN OF STATUTORY RIGHT OF WAY
OVER PART OF PARCEL A (PLAN BCP30625)
SECTION 36 BLOCK 5 NORTH RANGE 4 WEST
NEW WESTMINSTER DISTRICT
DEDICATED ROAD ON PLAN LMP30819**

PLAN EPP43695

BCGS 92G.015

PURSUANT TO SECTION 99(1)(e), LAND TITLE ACT
FOR PUBLIC ACCESS PURPOSE



15 10 5 0 10 20 30 40
ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED

THE INTENDED PLOT SIZE OF THIS PLAN IS 432mm IN
WIDTH BY 560mm IN HEIGHT (C SIZE) WHEN PLOTTED
AT A SCALE OF 1 : 750

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Canada and B.C. Land Surveyor
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Fax: 214-8929
E-mail: office@jctam.com
Website: www.jctam.com
Job No. 5587
Drawn By: KA

BOOK OF REFERENCE	
PARCEL A	Area = 272.5 m²

DWG No. 5587-SRW-002

Astronomic bearings are derived from plan LMP30819
This plan lies within the Greater Vancouver Regional District.

The plan is based on the following
Land Title and Survey Authority of BC records:
Plan LMP30819
JOHNSON C. TAM, BCLS 711