



City of Richmond

Report to Committee

To: General Purposes Committee

Date: May 12, 2015

From: Andrew Nazareth
General Manager, Finance and Corporate Services

File: 06-2285-30-191/Vol. 1

Re: Disposition of a Statutory Right of Way over a portion of the Eastern Foot of Dyke Road to Greater Vancouver Water District

Staff Recommendations

That:

1. for consideration of \$10, the City grant a permanent statutory right of way to Greater Vancouver Water District over a portion (\pm 323.1 sq. m.) of City owned land legally described as Lot 1 Section 1 Block 4 North Range 4 West NWD Plan 46040 PID 005-990-556; and
2. staff be authorized to take all necessary steps to complete the matter including authorizing the Chief Administrative Officer and the General Manager, Finance and Corporate Services to negotiate and execute all documentation to effect the transaction detailed in the staff report dated May 12, 2015 from the General Manager, Finance and Corporate Services including all contracts and Land Title Office documents.

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

Att. 3

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Finance	<input checked="" type="checkbox"/>	
Engineering	<input checked="" type="checkbox"/>	
Law	<input checked="" type="checkbox"/>	
Transportation	<input checked="" type="checkbox"/>	
REVIEWED BY DIRECTORS	INITIALS:	APPROVED BY CAO

Staff Report

Origin

Metro Vancouver Property Division, on behalf of Greater Vancouver Water District (“GVWD”), has contacted Real Estate Services staff regarding a portion of the eastern foot of Dyke Road which is currently used as road (the “Property”-- see Attachment 1). Metro Vancouver has a water main located in the Property and has requested that the City grant a statutory right of way (“SRW”) to legally protect Metro Vancouver’s right to have such works in the Property.

The purpose of this report is to obtain Council’s approval for the disposition of a permanent SRW to Greater Vancouver Water District over the Property in the area set out in Attachment 2 and under terms and conditions as described herein (Attachment 3).

Analysis

Metro Vancouver began this request in 2013 when they originally asked the City of Richmond to dedicate the entire parcel to road (given its current use as such) and offered to cover all costs related to survey, documentation, registration etc. Real Estate Services staff investigated the nuances of dedicating the parcel to road and denied the request due to third parties’ existing rights in the Property and the difficulties involved in completing a road dedication given the existing rights which include an easement through the middle of the Property to a private land owner.

As such, Metro Vancouver subsequently requested the City consider a SRW in lieu of the request for a road dedication, again offering to cover the costs of accomplishing the task. The SRW contains provisions which allow GVWD future access for maintenance purposes over the actual area of the water main line as well as 3 meter strips of land on either side of the works.

In order to complete the grant of the SRW to Metro Vancouver, Council’s approval is required. If the grant of the SRW is approved, a notice of intent to dispose of the SRW will be advertised in accordance with the requirements of the *Community Charter*.

Financial Impact

None. Metro Vancouver will cover the costs of the survey, documentation and registration and advertising costs.

Conclusion

City staff recommend the granting of this SRW on the Property and are therefore seeking Council’s approval for this transaction.

May 12, 2015

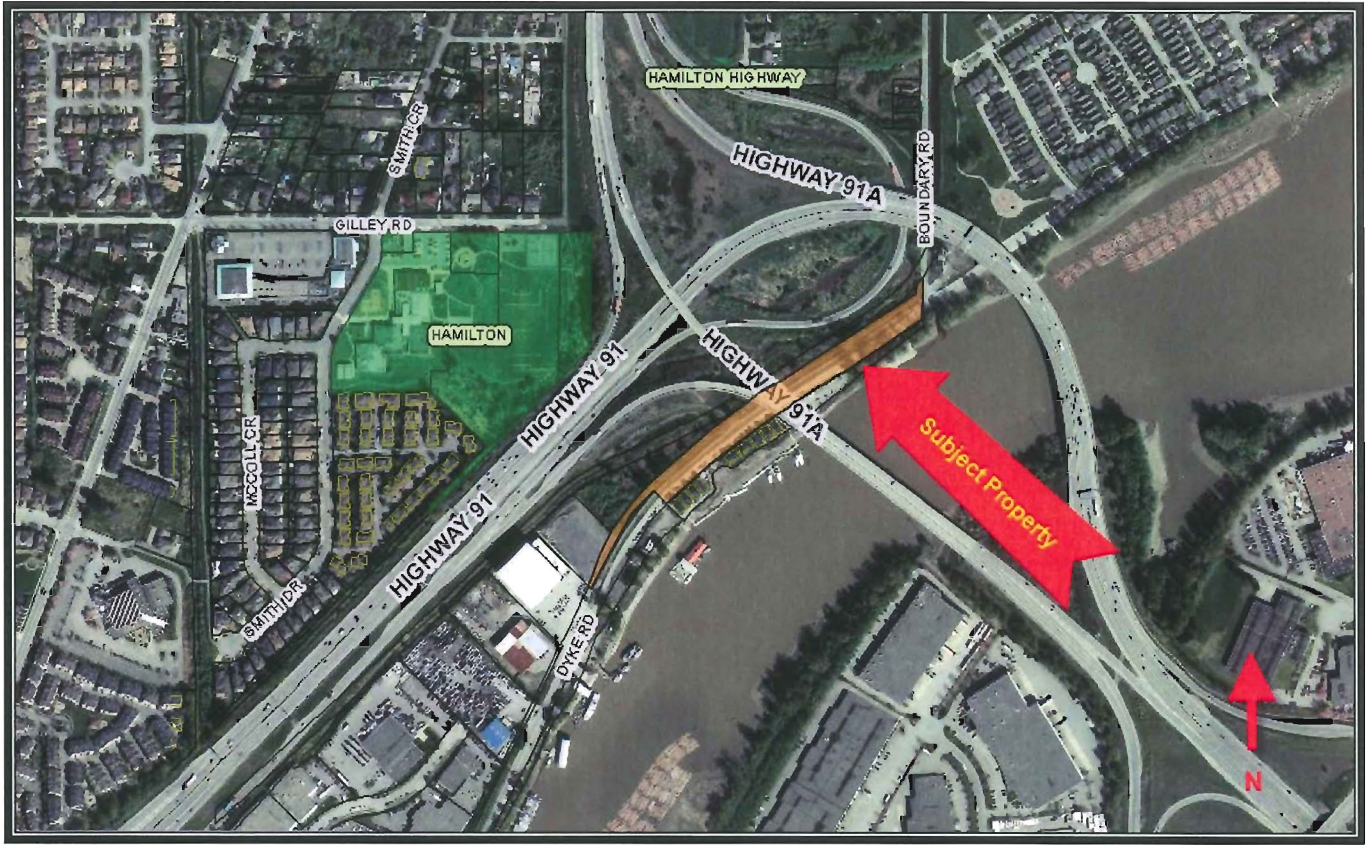
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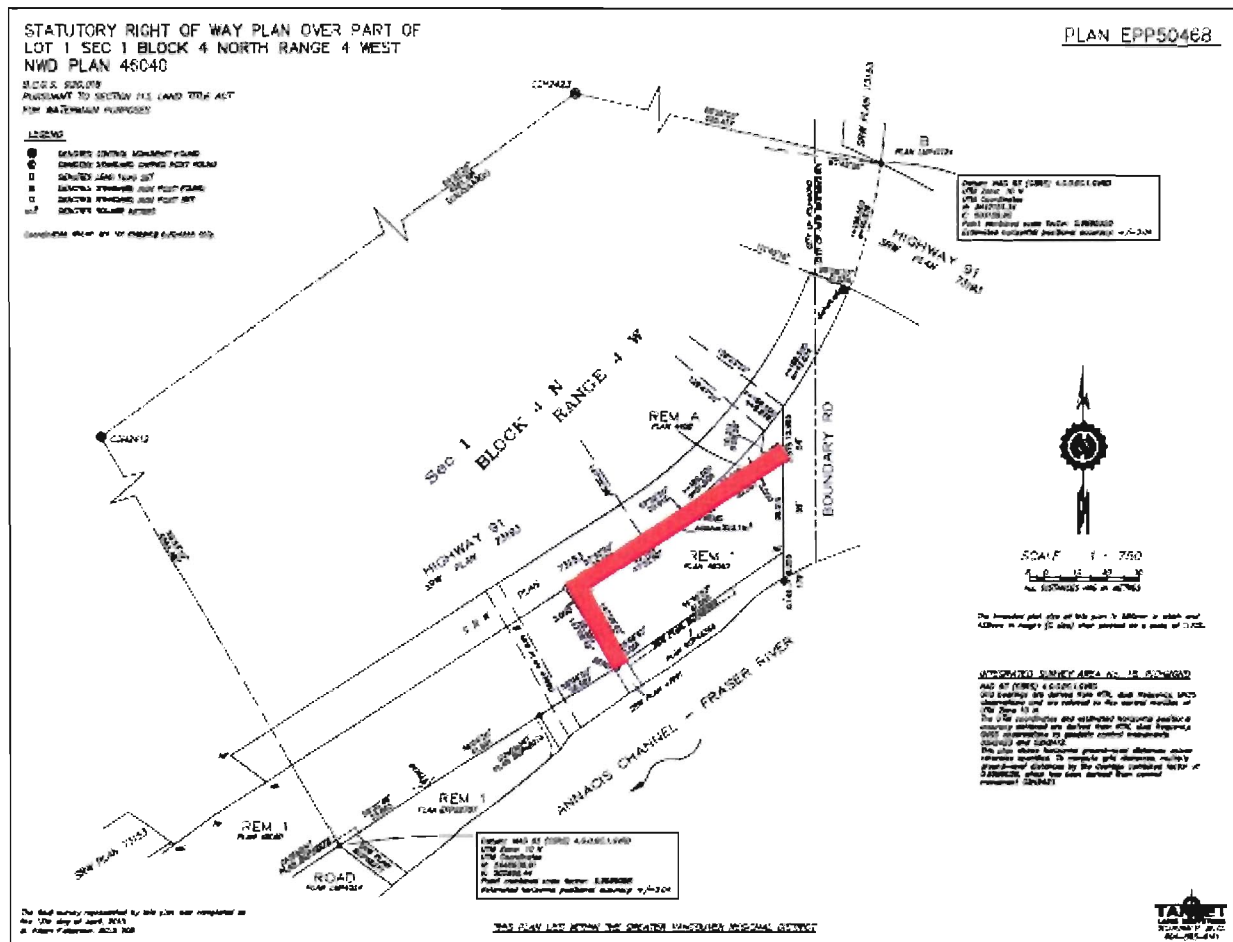
Michael Allen
Manager, Property Services
(604-276-4005)

Att 1: Property Aerial
2: SRW Plan
3: Property and Transaction Summaries

Attachment 1
Property Aerial



Attachment 2 Statutory Right of Way Plan



Attachment 3
Property and Transaction Summaries

Property Description:

Property Address:	005-990-556: No civic address
P.I.D./Legal Description:	Lot 1 Section 1 Block 4 North Range 4 West NWD Plan 46040
Total Area of Property:	±11,588 sq. m.
2014 Assessed Value (Land Only):	n/a

Transaction Details:

Permanent SRW:

Registered Owner of Charge:	Greater Vancouver Water District
Property Owner:	City of Richmond
Property Interest:	Statutory Right of Way
Use:	Water main Purposes
Location of SRW:	Portion of Dyke Road adjacent to Boundary Road
SRW Area:	± 323.1 sq. m.
Indemnification and Release:	In favour of City
Consideration for SRW:	\$10