

Date: June 20, 2005



TO: Board Members – Parks and Recreation

FROM: General Manager – Parks and Recreation

**SUBJECT: Queen Elizabeth Park:
Dedication for Road Purposes &
Registration of Right-of-Ways**

RECOMMENDATION:

A. THAT the Board:

- i. revoke the designation of Queen Elizabeth Park (legally described as Block 807, District Lot 526, Plan 19375) as a “permanent park”;*
- ii. support the dedication of a strip of land (0.11 hectares or 0.27 acres) along the western edge of Queen Elizabeth Park near Cambie Street and 31st Avenue for road purposes, as described in this report and shown in Appendix A;*
- iii. support the designation of the remaining portion of Queen Elizabeth Park as a “permanent park”, as described in this report and shown in Appendix B; and*
- iv. support the registration of five (5) right-of-ways in Queen Elizabeth Park in favour of the City of Vancouver, as described in this report and shown in Appendix C;*

all subject to City Council approving Recommendations A, B, C and D of the report dated June 13, 2005, attached as Appendix D.

Recommendation A.i. requires an affirmative vote of not less than 2/3 of the Park Board.

POLICY

Although not a formal policy, the long-standing practice of the Park Board is to support dedication of strips of park land or the granting of right-of-ways through parks for transportation and/or infrastructure purposes, as long as the review concludes that the outcome is in the public interest.

The Vancouver Charter (section 488) describes the procedures for designating a park as a “permanent park” and for revoking “permanent park” status. The Charter states that “such designation may be revoked or cancelled (...) by resolutions of both City Council and the Park Board where, in each case, the same was passed by an affirmative vote of not less than 2/3 of all the members thereof”.

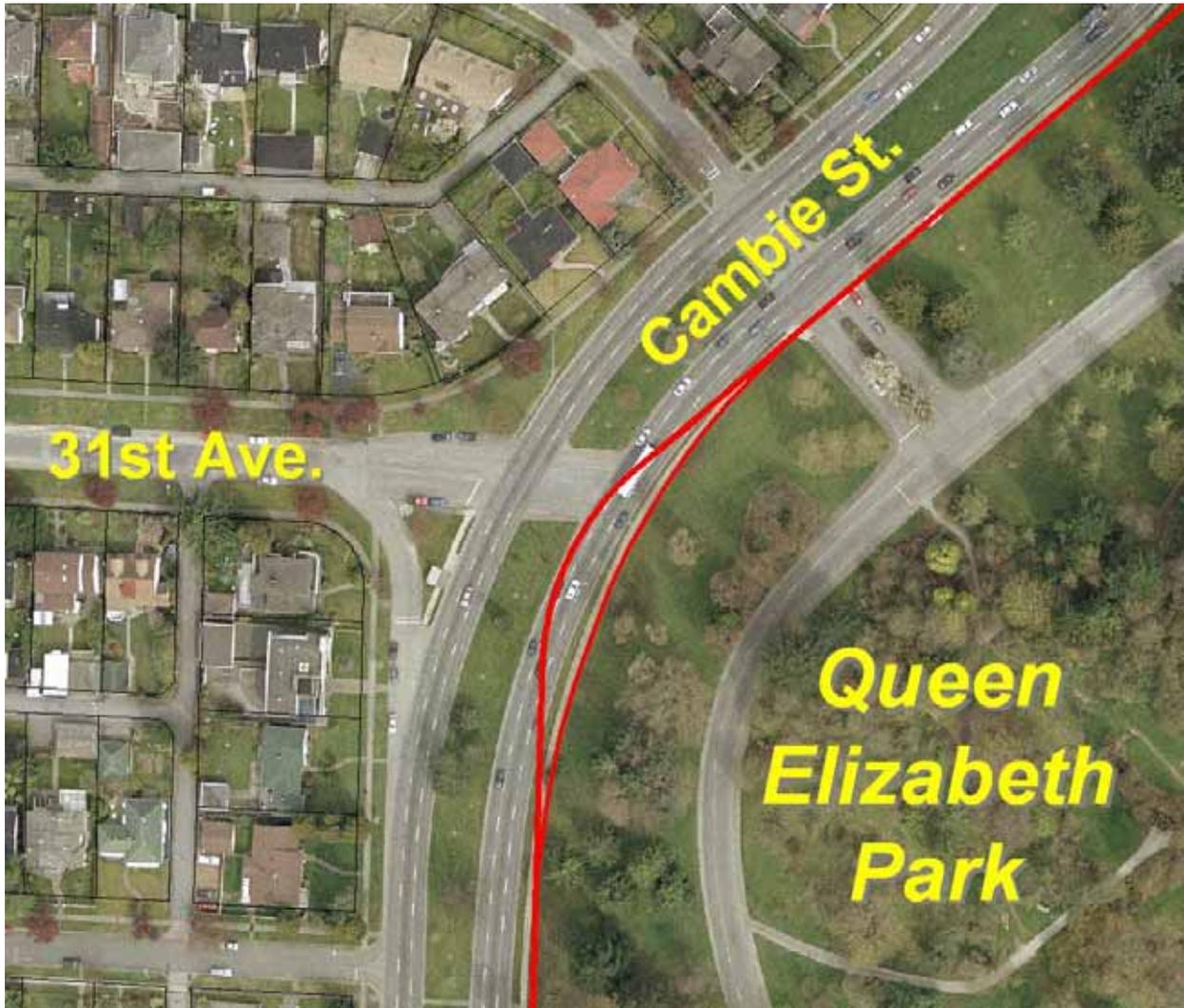
BACKGROUND

Little Mountain Park was acquired in 1929 from the Canadian Pacific Railway, and renamed Queen Elizabeth Park in 1940. The park is bounded by Cambie Street and Kersland Drive to the west, 29th Avenue and Midlothian Avenue to the north, Ontario Street to the east, and 37th Avenue to the south.

Queen Elizabeth Park is 53.04 hectares (131.06 acres), including the Little Mountain and Kersland reservoirs. The park (except the Little Mountain reservoir, which is owned by the Greater Vancouver Water District) was designated as “permanent park” by City Council on July 26, 1983.



A small portion of Cambie Street near 31st Avenue encroaches into Queen Elizabeth (see map below). The area in question currently contains vehicular traffic lanes and a sidewalk along Cambie Street. This situation has existed for many decades. In 1983, when City Council approved the designation of Queen Elizabeth Park as a “permanent park”, one of the requirements was to register a statutory right-of-way over the required portion of the park for road purposes. This action was unfortunately not taken and the situation has existed until now.



DEDICATION FOR ROAD PURPOSES

The method to rectify this situation is to dedicate a small portion of Queen Elizabeth Park for road purposes. The area proposed to be dedicated is 0.11 hectares or 0.27 acres, representing about 0.2% of Queen Elizabeth Park.

Staff support the dedication for road purposes. When the legal parcel for Queen Elizabeth Park was created, it resulted in a moderately sharp bend along Cambie Street. When this portion of Cambie Street was eventually built, it was determined that the bend was too sharp and, as a

result, the angle of the bend along the street was reduced by encroaching into Queen Elizabeth Park.

Requiring Cambie Street to no longer encroach into Queen Elizabeth Park would be costly: about a dozen trees along Cambie Street would need to be removed, and about 175 metres of roadway, median and sidewalk would need to be reconstructed. The benefit of having the green space added to Queen Elizabeth Park would be marginal.

Staff believe that maintaining Cambie Street and Queen Elizabeth Park in their present physical configuration is satisfactory. As a result, staff conclude that dedication of this portion of park for road purposes is in the public interest.

Because this portion of Queen Elizabeth Park is designated as “permanent park”, the following steps are required:

- i. both Park Board and City Council revoke the “permanent park” designation; this requires an affirmative vote of not less than 2/3 of both elected bodies;
- ii. City Council authorizes the Director of Legal Services to make an application to subdivide Queen Elizabeth Park and to dedicate the required portion as road; and
- iii. City Council designates the remaining portion of Queen Elizabeth Park as “permanent park”.

The Park Board is being asked to: i) revoke the “permanent park” status of Queen Elizabeth Park; ii) support the application to subdivide Queen Elizabeth Park and dedicate the required portion as road; and iii) support the designation of the remaining portion of Queen Elizabeth Park as “permanent park”.

The portion of Queen Elizabeth Park proposed to be dedicated as road is shown in Appendix A. The remaining portion of Queen Elizabeth Park which is proposed to be designated as “permanent park” is shown in Appendix B.

REGISTRATION OF RIGHT-OF-WAYS

There are seven existing right-of-ways registered on title for Queen Elizabeth Park (shown in yellow on the map below):

- Right-of-way 268447M, in favour of the Greater Vancouver Water District;
- Right-of-way 388344M, in favour of the Greater Vancouver Water District;
- Right-of-way 482030M, in favour of the Greater Vancouver Water District;
- Right-of-way 482324M, in favour of the Greater Vancouver Water District;
- Statutory Right-of-way K38062, in favour of the City of Vancouver;
- Statutory Right-of-way GB101503A, in favour of the Greater Vancouver Water District;
- Statutory Right-of-way BV52676, in favour of the Greater Vancouver Water District.

These right-of-ways are associated with the operation of the two water reservoirs at Queen Elizabeth Park: the Little Mountain Reservoir and the Kersland Reservoir.



Five additional right-of-ways are proposed to be added (see Appendix C):

- four right-of-ways on the west side of the park, in favour of the City of Vancouver, to allow for ancillary infrastructure associated with the operation of the two reservoirs at Queen Elizabeth Park; and
- one right-of-way on the east side of the park, in favour of the City of Vancouver, to allow for City communications ducts.

Staff have reviewed the proposed additional right-of-ways and conclude that they are acceptable. The Board is being asked to support the registration of these five right-of-ways in Queen Elizabeth Park.

NEXT STEPS

If Park Board approves the recommendation contained in this report, a report will be brought forward for Council's consideration on June 28, 2005. If approved by Council, staff will proceed with the steps as indicated in the report.

SUMMARY

The Park Board is asked to momentarily revoke the "permanent park" status of Queen Elizabeth Park in order to subdivide the park and dedicate a small portion for road purposes. The Board is also being asked to support the registration of five additional right-of-ways in Queen Elizabeth Park. Staff have reviewed the proposals and support their adoption.

Prepared by:

Planning & Operations Division
Board of Parks & Recreation
Vancouver, B.C.
MD

**APPENDIX A:
PORTION OF QUEEN ELIZABETH PARK
PROPOSED TO BE DEDICATED TO THE CITY FOR ROAD PURPOSES**



APPENDIX B:
REMAINING PORTION OF QUEEN ELIZABETH PARK
PROPOSED TO BE RE-DESIGNATED AS "PERMANENT PARK"



APPENDIX C:
LOCATION OF RIGHT-OF-WAYS
PROPOSED TO BE REGISTERED IN QUEEN ELIZABETH PARK

