

Date: July 06, 2006



TO: Board Members – Vancouver Park Board
FROM: General Manager – Parks and Recreation
SUBJECT: Approval of Statutory Rights-of-Way in Jericho Beach Park

RECOMMENDATION

- A. THAT the Board approve the granting of a statutory right-of-way to protect an existing sewer interceptor in Jericho Beach Park, as shown in Appendix A, to the Greater Vancouver Sewerage and Drainage District (GVSD).*
- B. THAT the Board approve the granting of statutory right-of-way to protect a City sewer line in Jericho Beach Park, as shown in Appendix B, to the City of Vancouver.*

POLICY

All interests in land which is “Permanent Park” must be approved by the Board.

BACKGROUND

A number of utility corridors and underground services run through lands under the jurisdiction of the Park Board. In most of these instances, a statutory right-of-way is in place to ensure that access for the purposes of inspection, maintenance, repair, and related functions is secured over the long term, even in the unlikely event that the land in question ceases to be a park.

In some instances, however, utilities and services are in place with no such legal protection. Two instances have been identified in relation to Jericho Beach Park, where an existing sewer interceptor runs over a portion of the Lot 6 of the Park (see Appendix A). The other instance is a City sewer line that runs northerly from 4th Avenue through Lot 6 to the GVSDD interceptor (see Appendix B).

The City’s Real Estate Services confirms that Lot 6 (see Appendix A) was established as “Permanent Park” by Council resolution on May 26, 1987. The council resolution recognizes the presence of sewer mains and rights-of-way on the site.

City and Park Board staff have met on these issues, and a draft right-of-way agreement satisfactory to both parties has been negotiated.

DISCUSSION

The proposed agreement for Jericho Beach Park is in keeping with a City initiative to identify and correct all situations where statutory rights-of-way should be in place in relation to existing utilities and services, but for one reason or another, are not.

Currently, the GVSDD has existing rights-of-way registered in Jericho Beach Park. However, there is a small gap (on Lot 6) over a remnant road allowance. This portion was not included when the rights of way on either side of the property were originally surveyed and registered. The GVSDD now requests to acquire a 6.096 metre wide right-of-way to complete the statutory right of way corridor through the park (see Appendix A).

The City's Engineering Department indicates that there is an existing City sewer line that runs northerly from 4th Avenue through Lot 6 to the GVSDD interceptor (see Appendix B). The City has requested to register an additional 4.5 metre right-of-way in favour of the City to protect this sewer.

Jericho Beach Park is a wooded naturalized area. Staff do not anticipate recreational or facility development on or near both rights-of-way. Staff recommends that the Board support the registration of these two rights-of-way for utility purposes over the portions of Jericho Beach Park as shown in Appendix A and B.

SUMMARY

The Park Board is asked to approve the two proposed rights-of-way over existing sewer lines in Jericho Beach Park, as described in this report.

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