

Date: June 02, 2006



**TO: Board Members - Parks and Recreation**  
**FROM: General Manager - Parks and Recreation**  
**SUBJECT: Sunset Beach Park: Statutory Right-of-Way**

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## RECOMMENDATION

- A. THAT the Board approve the granting of a statutory right-of-way in perpetuity in favour of the Greater Vancouver Regional District (GVRD) over a portion of Sunset Beach Park based on the details provided in this report, and Appendices A and B, subject to the legal documents being prepared to the satisfaction of the General Manager of Parks and Recreation.***
- B. THAT the Board approve extending the existing Greater Vancouver Regional District (GVRD) Pump Station by approximately 1/2 meter to the west, subject to all details being the satisfaction of the General Manager of Parks and Recreation.***

## POLICY

The Vancouver Charter specifies that the Board has “exclusive jurisdiction and control of all areas designated as permanent public parks” (Section 488.1), and that “exclusive jurisdiction and control of real property includes the authority to determine how such real property shall be used” (Section 488.6).

## BACKGROUND

Sunset Beach Park is located along the south shore of the entrance to False Creek. It extends from the foot of Jervis Street to the Burrard Street Bridge.

The Greater Vancouver Regional District (GVRD) has had a long-standing sewer pump station in the park at the foot of Jervis Street and adjacent to the seawalk. The pump station is comprised of a building and adjacent manholes to provide access to exterior chambers.

## DISCUSSION

The GVRD must periodically upgrade their Jervis Street Pump Station and they are presently requesting our permission to do a major upgrade which would include an expansion of the building by approximately 1/2m to the west and the installation of additional exterior chambers and associated manholes. Staff have reviewed the proposed project and recommend permitting the alteration to the pump station and other work to

proceed. Staff consider that the alteration to the pump station will improve the site in that dense bushes on the west side of the building, that have presented a problem because of people hiding there and sometimes living there, will be replaced by an attractive planter.

The Park Board has engaged in an initiative to grant rights-of-way to authorities who have infrastructure in our parks for which such grants have not already been provided to formalize and streamline our relationship with these authorities who are historically established in our parks. The GVRD's Jervis Street Pump Station is one of these sites, and staff recommend that the Board give approval to formalize this situation by granting a right-of-way to the GVRD (see the two shaded areas shown on Appendix 'A'). The granted right-of-way will connect to previous rights-of-way given to the GVRD for water and sewer pipes to the west parallel to Beach Avenue.

If granted a right-of-way, the GVRD would still be required to notify the Park Board of any proposed work and to restore any grounds in the right-of-way to the Park Board's satisfaction. The right-of-way grant would permit the GVRD to undertake minor modifications and repairs without engaging and burdening the Park Board's standard approval process concerning work done by others on Park Board property. The Park Board would retain the right to install and/or maintain anything normally associated with a park on the proposed right-of-way.

If approved, Park Board staff will work with the GVRD on the necessary legal documents to register the statutory right-of-way. These would be prepared to the satisfaction of the General Manager of Parks and Recreation.

The work at Sunset Beach is scheduled to proceed starting this autumn and be completed by the May 2007 long weekend. The Sunset Beach sewer pipe will exit from under the water channel to False Creek in Vanier Park and eventually connect to the Iona Sewage Plant. The Vanier Park right-of-way and required approvals are not as critical to the schedule and will be presented for consideration at a later date once a route has been selected.

## **CONCLUSION**

The granting of a statutory right-of-way over a portion of Sunset Beach Park and the minor alteration to the GVRD Pump Station within the proposed right-of-way is recommended. The right-of-way would allow travel and minor utility work to occur, which staff believe will not undermine the integrity or the function of the Park.

Prepared by:

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