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**TO:** CITY MANAGER **DATE:** 2006 March 30

**FROM:** DIRECTOR PARKS, RECREATION AND CULTURAL SERVICES

**SUBJECT: EAGLE CREEK RAVINE PARK - GVRD STATUTORY RIGHT-OF-WAY REQUEST FOR LOUGHEED HIGHWAY CULVERT ACCESS**

**PURPOSE:** To request Council's authorization for granting and execution of a statutory right-of-way over parkland within Eagle Creek Ravine Park in favour of the Greater Vancouver Water District for regional drainage and culvert maintenance access purposes.

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**RECOMMENDATION:**

1. **THAT** authorization be given for the granting and execution of a statutory right-of-way over parkland, Remainder "C", District Lot 43, Plan 11434, addressed 7585 Lougheed Highway and located within Eagle Creek Ravine Park, in favour of the Greater Vancouver Water District for regional drainage and culvert maintenance access purposes under the terms and conditions outlined in the attached report.

**REPORT**

At its 'Open' meeting of 2006 March 29, the Parks, Recreation and Culture Commission received the above noted report and adopted the recommendation contained therein.



Kate Friars  
DIRECTOR PARKS, RECREATION AND CULTURAL SERVICES

KF:tc

Attachment

P:\ADMIN\TC\DATA\COUNCIL\PK-EAGLE CREEK RAVINE PARK - GVRD STATUTORY RIGHT-OF-WAY

Copied to: City Solicitor  
Director Engineering -  
Director Planning and Building

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**TO:** CHAIR AND MEMBERS  
PARKS, RECREATION & CULTURE COMMISSION

**FROM:** DIRECTOR PARKS, RECREATION AND CULTURAL SERVICES

**SUBJECT: EAGLE CREEK RAVINE PARK - GVRD STATUTORY RIGHT-OF-WAY  
REQUEST FOR LOUGHEED HIGHWAY CULVERT ACCESS**

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**RECOMMENDATION:**

1. **THAT** Council be requested to authorize the granting and execution of a statutory right-of-way over parkland, Remainder "C", District Lot 43, Plan 11434, addressed 7585 Lougheed Highway and located within Eagle Creek Ravine Park, in favour of the Greater Vancouver Water District for regional drainage and culvert maintenance access purposes under the terms and conditions outlined in this report.

**REPORT****INTRODUCTION**

At their respective meetings of 2003 November 19 and 2003 November 24, the Parks, Recreation and Culture Commission and Council received and adopted a staff report seeking approval in principle to the granting of a number of statutory rights-of-way (SRW) in favour of the Greater Vancouver Regional District over parklands at various sites under terms to be negotiated by the City Solicitor. One of the sites is located at Eagle Creek Ravine Park adjacent to and north of Lougheed Highway.

Upon approval in principle to the granting of the SRW at Eagle Creek Ravine Park, GVRD staff, in consultation with City staff, commenced design of a gravel access road from the Lougheed Highway down to Eagle Creek which will allow operations staff closer access to the culverts to safely clear away any debris build-up at all hours and in all weather conditions. Now that the design is in place and a SRW area has been defined, staff recommend that the granting and execution of the SRW through City-owned park property at Eagle Creek Ravine Park be approved under the terms outlined in this report.

**PROJECT BACKGROUND, ACCESS ROAD DESIGN AND SRW AREA**

The GVRD is responsible for operating and maintaining Eagle Creek. During heavy rain or storm events, GVRD Operations staff are required to clean out debris to prevent plugging at the

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From: Director Parks, Recreation and Cultural Services  
Re: Eagle Creek Ravine Park - GVRD Statutory Right-of-Way Request for Lougheed Highway Culvert Access  
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four culverts that Eagle Creek passes through under the Lougheed Highway. In the past the GVRD staff parked on the side of the highway and accessed the culverts by a stairway. The new configuration of the Lougheed Highway, after the Millennium Line Skytrain development, has resulted in a much narrower road shoulder which would be unsafe for staff to operate from. The GVRD approached the City with a request to construct an unpaved access road from the Lougheed Highway down to Eagle Creek in order to be able to drive down the proposed access road to shine vehicle lights on the culverts (the work often occurs at night), and safely clear away any debris build-up.

At the time of the initial request, Parks, Engineering and Planning Department staff reviewed the proposal and were in agreement that it is in the best interest of both the GVRD and the City to grant the requested statutory right of way. However, it was noted that a portion of the proposed statutory right of way area, to a maximum of six metres in depth, is proposed to be dedicated for road purposes related to Lougheed Highway in the near future. Improvements were to be made to the road shoulder, pedestrian facilities and road embankment by the City. The design and construction of the proposed GVRD access was, therefore, required to be coordinated with the City Engineering Department who were overseeing the design work for the Lougheed Highway improvements, and the proposed SRW area finalized after the road dedication had taken place.

Approval in principle allowed the GVRD to work with the City to coordinate the design of the proposed gravel access road with the proposed Lougheed Highway improvements and seek any other necessary approvals in a timely manner.

The approved access road design and requested SRW area are illustrated in the attached plan (Attachment #1). The road design provides access to the culverts, an off-road vehicle turn around and safe access and egress to and from Lougheed Highway for GVRD Operations staff and their vehicles. The SRW area includes the gravel access road, associated drainage ditches and access road culverts which will be the GVRD's responsibility to maintain.

**PARK LAND STATUS**

The subject park land was dedicated for park purposes under Bylaw #11430 in November 2002. The need for access to the culverts by GVRD staff was identified prior to the dedication of the land for park, as was the requirement for future road dedication. As the culvert access road is directly related to the existing GVRD drainage facility, it was determined that there would be no impediment to the granting of the requested statutory right of way once the park dedication bylaw was adopted. The future road dedication area requirement was dealt with by identifying the specific area by Reference Plan and excluding it from the park area to be dedicated under the Park Dedication Bylaw.

**TERMS & COMPENSATION**

The City has established standard terms for statutory right-of-ways to be granted by the City and has worked with the GVRD to establish a standard form of agreement between both parties

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which incorporates these terms. This standard form will be amended to reference the intended future City road dedication and the requirement that the GVRD release those portions of the proposed SRW area which will be included in the road dedication at that time. As the granting of this right of way in favour of the GVRD is being proposed to re-instate a safe maintenance access to existing culverts on Eagle Creek, monetary compensation for the right of way is not being sought.

Final approval was also subject to the GVRD obtaining any other necessary approvals required for the siting of the proposed access road within the Eagle Creek corridor. The Department of Fisheries and Oceans had indicated that they have no objection to this access road as it should be able to avoid significant streamside vegetation such as trees. At the request of City staff, GVRD also consulted the Eagle Creek Stream Keepers to explain the project and design concept. The Stream Keepers asked that the access design stay clear of an existing pond and have a fish accessible culvert under the access road.

**CONCLUSION**

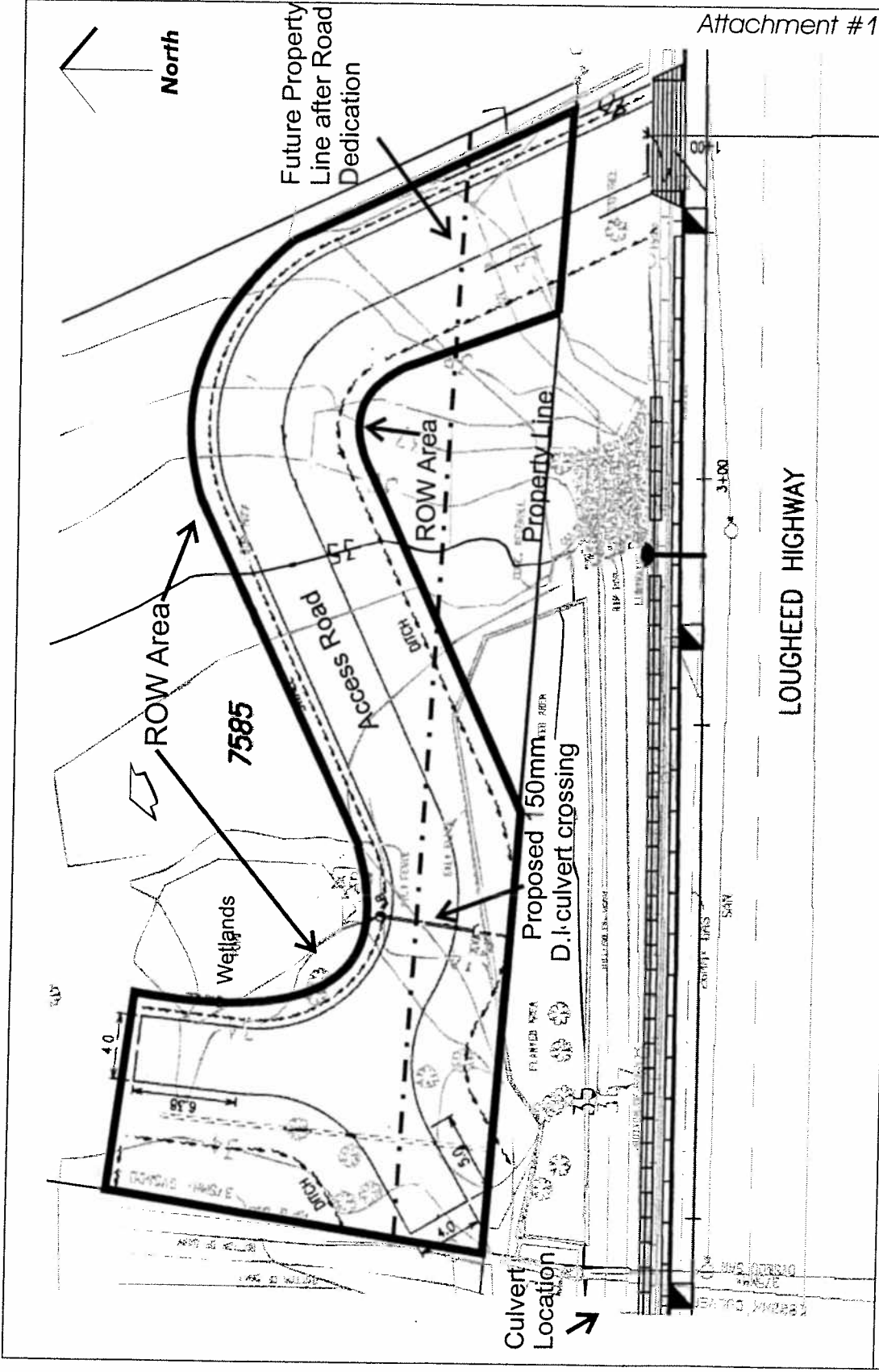
The GVRD approached the City to request the granting of a SRW for drainage and culvert maintenance access purposes over city land within Eagle Creek Ravine Park. There are no impediments to the granting of the SRW, provided that the design and construction of the proposed GVRD access is coordinated with the City's Lougheed Highway improvement project and the SRW agreement recognized future road dedication requirements for Lougheed Highway. As these conditions have been satisfied, and other necessary approvals have been obtained, it is recommended that Council be requested to authorize the granting and execution of a statutory right-of-way over a portion of Eagle Creek Ravine Park in favour of the GVRD for drainage access.



Kate Friars  
DIRECTOR PARKS, RECREATION AND CULTURAL SERVICES

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Attachment  
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Copied to: City Solicitor  
Director Engineering  
Director Planning and Building



Dwg.# M-06-01  
 Date: March, 2006  
 Scale: nts  
 Prepared By: DD

Eagle Creek Ravine Park  
 Proposed GVRD Right of Way  
 for Drainage & Access Purposes

