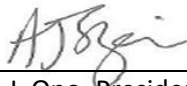


SUBJECT	UBC OKANAGAN GREENHOUSE FACILITY- FORTISBC INC. STATUTORY RIGHT OF WAY
MEETING DATE	APRIL 18, 2019

Forwarded on the Recommendation of the President

**APPROVED FOR
SUBMISSION**



for Santa J. Ono, President and Vice-Chancellor

DECISION REQUESTED	<p>IT IS HEREBY REQUESTED that approval be granted to:</p> <ul style="list-style-type: none"> <i>i. Authorize the Administration to seek Ministerial approval for the grant of statutory right of way over the lands shown on Attachment 1 to FortisBC Inc. for utility purposes, pursuant to Section 50(2) of the University Act;</i> <i>ii. Authorize the Administration to, upon receipt of Ministerial approval, execute such documents as are required to grant the aforementioned statutory right of way to FortisBC on terms and conditions approved by the Administration; and,</i> <i>iii. Declare that the disposal of land (i.e., the grant of the statutory right of way described above) will not affect the future delivery of educational programs.</i>
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Report Date	March 18, 2019
Presented By	Deborah Buszard, Deputy Vice-Chancellor and Principal Rob Einarson, AVP Finance & Operations Michael White, Associate Vice-President, Campus & Community Planning

EXECUTIVE SUMMARY

A Statutory Right of Way (SRW) is a registered interest in land that grants the right to enter upon land for certain public purposes. The *University Act* requires UBC to seek ministerial approval before granting any interests in land, including SRWs.

An SRW over an approximately 3 metre by 150 metre portion of the UBC Okanagan campus is required to allow FortisBC Inc. to provide electrical service to the Greenhouse Facility, scheduled for construction in summer 2019.

Encumbering this modest portion of land with an SRW does not impact any future development opportunities, nor affect the operation, function and future delivery of educational programs on the UBC Okanagan campus.

Once authorization is provided, the Administration will seek Ministerial Approval, and upon receipt of such approval, execute the required plans and agreement to effect the disposition, once said agreement has been vetted by the Office of the University Counsel to ensure full protection of UBC’s rights and interests.

Attachments

1. FortisBC SRW-Location Map

STRATEGIC CORE AREAS SUPPORTED

- People and Places**

 Research Excellence

 Transformative Learning

 Local / Global Engagement

DESCRIPTION & RATIONALE Background

The Greenhouse Facility is proposed to be located on the University’s West Campus lands, immediately west of the Main UBC Okanagan Campus. The Project is scheduled for construction beginning in summer 2019 and with a total construction cost of \$3.2 million. The Project received President’s Executive approval on November 14, 2017. Project completion and subsequent occupancy is scheduled for summer 2020.

A new transformer is required to provide electrical service to the new Greenhouse Facility and will be placed on the east side of the new building. A Statutory Right of Way (SRW) for FortisBC is required for the new transformer and the conduit connecting it to the existing primary service on Discovery Avenue on the Main Campus. Refer to Attachment 1 for a map showing the location of the FortisBC SRW.

The SRW location does not impact future development potential of the campus. It is sited strategically along the north edge of the existing driveway and parking lot for the Upper Campus Health Building, and remains outside of any future building sites identified in the *UBC Okanagan Campus Plan (2015)*.

To connect FortisBC electric services to the greenhouse site, the connection must cross a parcel of land owned by the Glenmore Ellison Irrigation District (GEID). Discussions between the university and GEID are presently underway for an easement agreement and to permit the FortisBC SRW crossing over the GEID lands.

The SRW agreement with FortisBC will be consistent with the forms of agreement previously reviewed and approved by UBC.

BENEFITS N/A

RISKS N/A

COSTS There are no cost implications for UBC

FINANCIAL N/A

SCHEDULE Upon Board approval, the University Administration will submit a request for ministerial approval to the Minister of Advanced Education as soon as it is practicable.

CONSULTATION UBC Operational staff have been consulted with regards to the SRW and no concerns have been identified.

Attachment 1 – FortisBC SRW – Location Map

