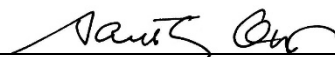


SUBJECT	NECHAKO RESIDENCE BUILDING - FORTISBC INC. STATUTORY RIGHT OF WAY
MEETING DATE	JUNE 5, 2019

Forwarded on the Recommendation of the President

APPROVED FOR SUBMISSION



 Santa J. Ono, President and Vice-Chancellor

DECISION REQUESTED	<p>IT IS HEREBY REQUESTED that <i>the Property Committee:</i></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, grant the aforementioned statutory right of way to FortisBC Inc. on terms and conditions approved by the Administration; and,</i> <i>iii. Declare that the disposal of land (i.e. the grant of statutory right of way described above) will not affect the future delivery of educational programs.</i>
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Report Date	May 10, 2019
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Presented By Deborah Buszard, Deputy Vice-Chancellor and Principal, UBC Okanagan
 Robin Ciceri, Vice-President External Relations
 Peter Smailes, Interim Vice-President Finance & Operations
 Hubert Lai, Q.C., University Counsel
 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.

The SRW over an approximate 52 square metre portion of the UBC Okanagan campus is required to allow FortisBC Inc. to provide electrical service to the Nechako Residence, which began construction in spring 2019.

Encumbering this small 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.

Attached: FortisBC SRW - Location Map

STRATEGIC CORE AREAS SUPPORTED

- People and Places
 Research Excellence
 Transformative Learning
 Local / Global Engagement

DESCRIPTION & RATIONALE Background

The Nechako Residence project is presently under construction and involves a total construction cost of \$50.95 million. The project received Board 1, 2 and 3 approval on the following dates, respectively: June 14, 2017, April 19, 2018 and February 12, 2019. Project completion is scheduled for summer 2021, with occupancy by September 2021.

A new transformer is required to provide electrical service to the new Nechako Residence. The transformer will be placed on the west side of International Mews at the north end of the Kalamalka Residence.

A Statutory Right of Way (SRW) for FortisBC is required for the new transformer and conduit connecting it to the existing primary service off International Mews. The SRW covers a relatively modest area of approximately 52 square metres. 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 beside the existing Kalamalka Residence transformer, in a service area between the Kalamalka and Nicola residences, and is outside of any future building sites identified in the *UBC Okanagan Campus Plan (2015)*.

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.

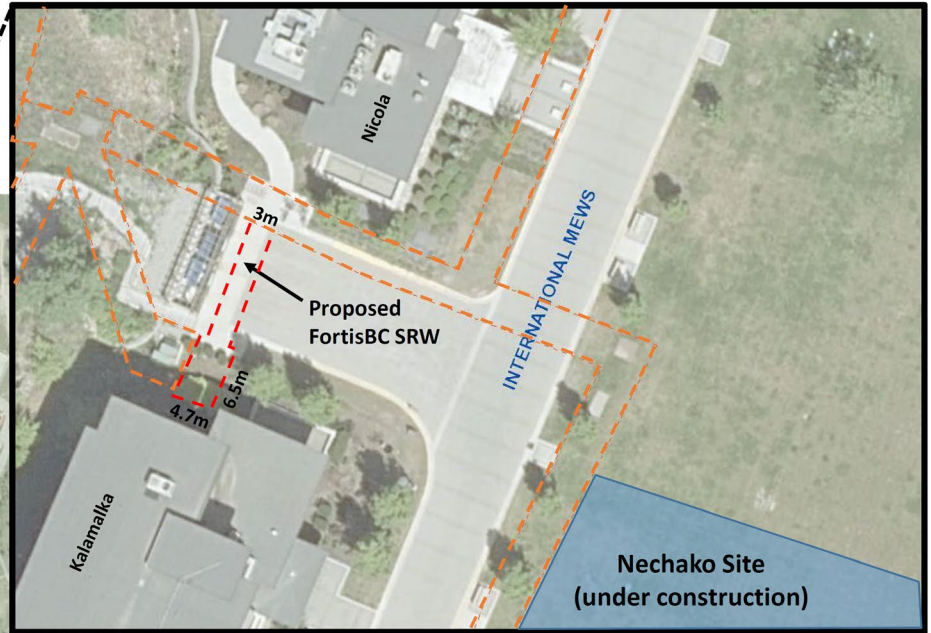
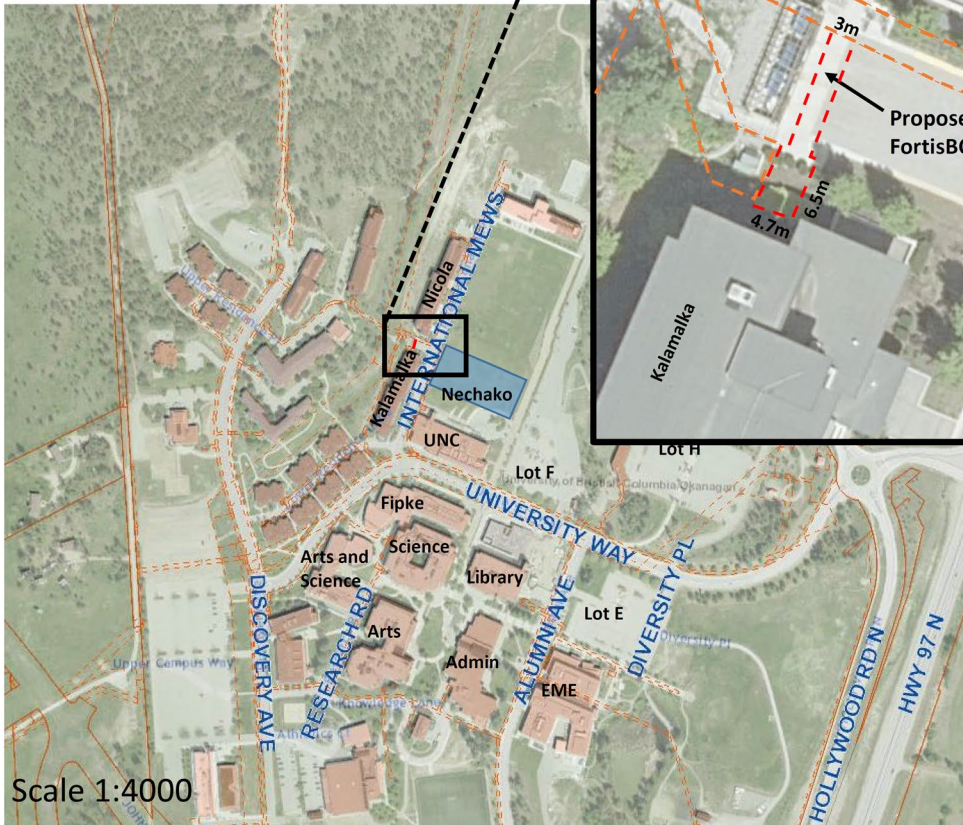
FINANCIAL N/A

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


CONSULTATION UBC Operational staff have been consulted regarding the SRW, and no concerns have been identified.

Attachment 1 – FortisBC SRW – Location Map

FORTISBC SRW - LOCATION MAP



Legend

-  Existing FortisBC SRW
-  New FortisBC SRW