



SUBJECT	1540 Innovation Drive, Kelowna - FortisBC Inc. Statutory Right of Way
SUBMITTED TO	Property Committee
MEETING DATE	April 7, 2021
SESSION CLASSIFICATION	Recommended session criteria from Board Meetings Policy: OPEN
REQUEST	REQUESTED - Approval IT IS HEREBY RESOLVED that the Property Committee, with authority delegated by the Board of Governors: <ul style="list-style-type: none">i. Authorizes the Administration to seek Ministerial approval for the grant of statutory right of way over the lands shown on Attachment 1 to the briefing to FortisBC Inc. for utility purposes pursuant to Section 50(2) of the <i>University Act</i>.ii. Authorizes 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 University Counsel; and,iii. Declares that the disposal of an interest in land (i.e., the grant of statutory right of way described above) will not affect the future delivery of educational programs.
LEAD EXECUTIVE	Robin Ciceri, Vice-President External Relations
SUPPORTED BY	Lesley Cormack, Deputy Vice-Chancellor and Principal, UBC Okanagan Peter Smailes, Vice-President Finance & Operations Hubert Lai, Q.C., University Counsel Michael White, Associate Vice-President Campus & Community Planning Rob Einarson, Associate Vice-President Finance & Operations, UBC Okanagan

PRIOR SUBMISSIONS

The subject matter of this submission has not previously been considered by the Property Committee.

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. This report provides information regarding the proposed disposition of land and requests the Board's authorization.

The SRW over a 28.9m² portion of the UBC Okanagan campus at 1540 Innovation Drive is required to allow FortisBC Inc. to upgrade electrical service to the Innovation Precinct 1 building, located within UBC Okanagan's Innovation Precinct. Encumbering this small portion of land with a SRW does not hinder 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.

BACKGROUND

A new, larger transformer is required to provide upgraded electrical service to the newly renovated Innovation Precinct 1 building located at 1540 Innovation Drive within UBC Okanagan's Innovation Precinct. The new transformer is located north of the existing building, along Spectrum Avenue. A SRW for FortisBC is required for the transformer, covering a relatively modest area of 28.9 m². Refer to Attachment 1 for context map showing the location of the FortisBC SRW.

In 2017 UBC acquired the Innovation Precinct 1 building with an existing blanket SRW registered in favour of FortisBC Inc. The existing blanket SRW agreement, registered in 2008, grants FortisBC privileges and easement over the entire parcel. On registration of the new surveyed SRW for the new transformer, the blanket SRW will be discharged from the property. Refer to Attachment 2 for new surveyed SRW Plan EPP106594.

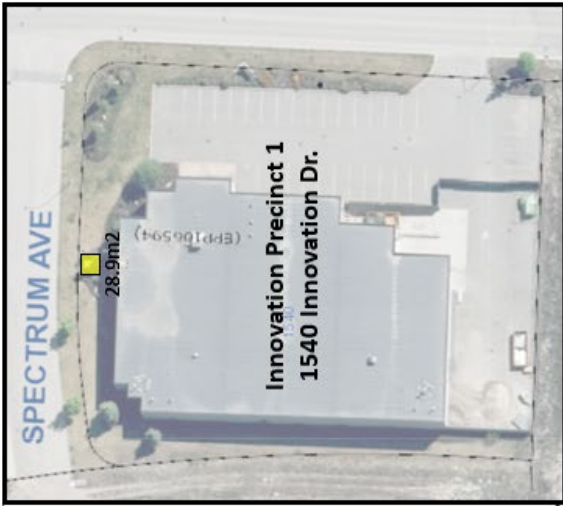
The new SRW location is strategically sited directly adjacent to the parcel's property line and will not hinder future development potential of the campus.

The SRW agreement with FortisBC will be consistent with the forms of agreement previously reviewed and approved by UBC. Upon Board approval, Campus Planning and Finance & Operations – UBC Okanagan will submit a request for Ministerial approval to the Ministry of Advanced Education and Skills Training (AEST).

APPENDICES

1. Context Map – Innovation Precinct 1
2. SRW Plan EPP106594

Context Map – Innovation Precinct 1



Legend
FortisBC SRW (new transformer location)




**STATUTORY RIGHT OF WAY PLAN OVER PART OF LOT 8
SECTION 14 TOWNSHIP 23 ODYD PLAN KAP82802**

PLAN EPP106594

PURSUANT TO SECTION 113 OF THE LAND TITLE ACT

BCGS 82E.094



THE INTENDED PLOT SIZE OF THIS PLAN IS 432mm IN WIDTH BY 560mm IN HEIGHT (C SIZE) WHEN PLOTTED AT A SCALE OF 1:800

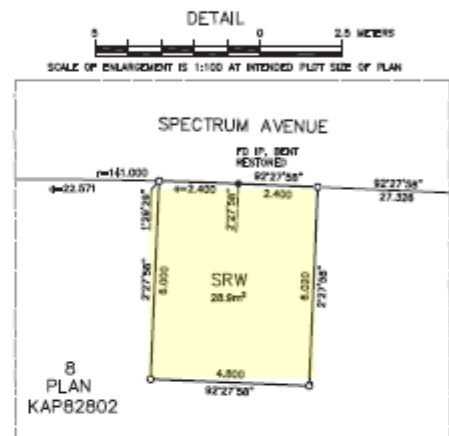
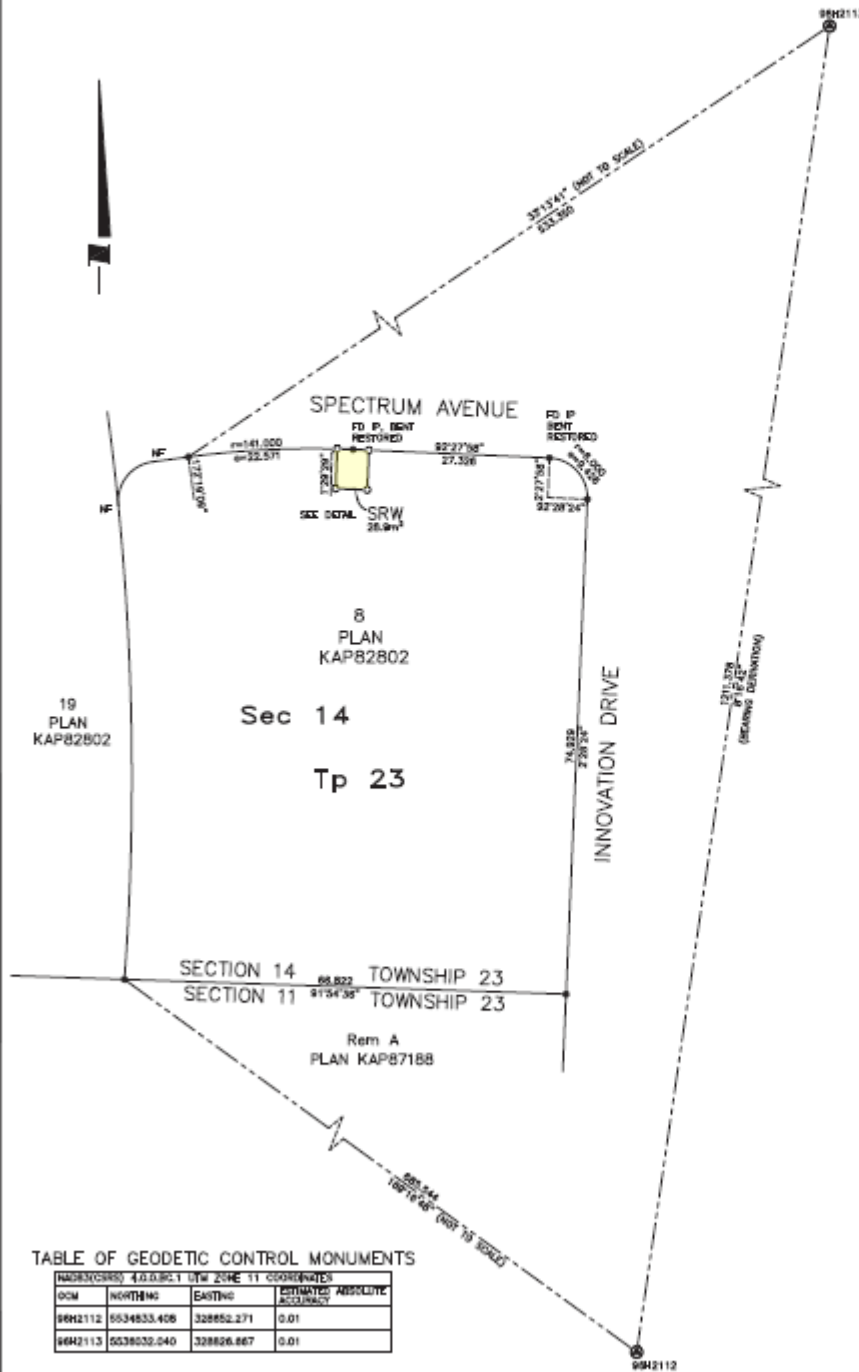


TABLE OF GEODETIC CONTROL MONUMENTS

MONUMENT	NAD83(CRS) 4.0.D.86.1 UTM ZONE 11 COORDINATES	ESTIMATED ABSOLUTE ACCURACY
OCM	NORTHING EASTING	
98H2112	5534633.406 328852.271	0.01
98H2113	5538032.040 328826.667	0.01

LEGEND

INTEGRATED SURVEY AREA NO. 4, CITY OF KELOWNA, NADE3 (CRS) 4.0.D.86.1
 GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN GEODETIC CONTROL MONUMENT 98H2112 AND 98H2113 AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 11.
 THE UTM COORDINATES AND ESTIMATED ABSOLUTE ACCURACY ACHIEVED ARE DERIVED FROM BASCOOT PUBLISHED COORDINATES AND STANDARD DEVIATIONS FOR GEODETIC CONTROL MONUMENTS 98H2112 AND 98H2113.
 THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES UNLESS OTHERWISE SPECIFIED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY THE AVERAGE CORRECTION FACTOR OF 0.999998 WHICH HAS BEEN DERIVED FROM GEODETIC CONTROL MONUMENTS 98H2112 AND 98H2113.
 ⊙ DENOTES CONTROL MONUMENT FOUND
 * DENOTES STANDARD IRON POST FOUND
 ○ DENOTES STANDARD IRON POST PLACED
 THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF CENTRAL OKANAGAN
 THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 29th DAY OF OCTOBER, 2020
 RYAN DELAURIER, BCLS 979

Ferguson Land Surveying & Geomatics Ltd.
 B.C. AND CANADA LAND SURVEYORS
 404-1630 PANDOSY STREET, KELOWNA, B.C.
 TELEPHONE (250) 763-3115 FAX (250) 763-0321

JOB No: 22369-SRW

5/3/2024 (Rev 16, 2024) \jls\plan\22369\22369_001.DWG 09/27/2024 09:28:00
 3/27/21 10