



City of Richmond

Report to Committee

To General Purposes May 15, 2006

To: General Purposes Committee

Date: April 27, 2006

From: Christine McGilvray
Manager, Lands and Property

File: 03-1000-14-078/Vol 01

Re: Lease of Water Lot DL7990 - Steveston Waterfront Lands - No. 1 to Railway

Staff Recommendation

That Council authorize staff to enter a twenty year agreement (four five year terms) with the Fraser River Port Authority for the lease of the water lot District Lot 7990 between No. 1 Road and Railway, on the same general terms and conditions as the existing agreement which expires August 31, 2006.

Christine McGilvray
Manager, Lands and Property
(4005)

Att.

FOR ORIGINATING DIVISION USE ONLY					
ROUTED TO:		CONCURRENCE		CONCURRENCE OF GENERAL MANAGER	
Budgets	Y	<input checked="" type="checkbox"/>	N		
Law	Y	<input checked="" type="checkbox"/>	N		
Parks Design, Construction & Programs ..	Y	<input checked="" type="checkbox"/>	N		
Policy Planning	Y	<input checked="" type="checkbox"/>	N		
REVIEWED BY TAG	YES	<input checked="" type="checkbox"/>	NO	REVIEWED BY CAO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
					<input type="checkbox"/>

Staff Report

Origin

In September 2001, after the City obtained title to waterfront lands from the BC Packers site in Steveston, it entered a five year lease agreement with the Fraser River Port Authority (FRPA) to lease the waterlots fronting the lands between No. 1 Road and Railway Avenue (designated as District Lot 7990 – see Attachment 1). That agreement expires August 31, 2006.

Findings Of Fact

Legal Background

In 2001, lease agreements between the City and other parties were considered a “liability” under the Community Charter and as such were restricted to a term of five years unless they were subjected to an elector approval process. This requirement has been modified by the Municipal liabilities Regulation, so that approval of the electors is now only required where the liability is of a capital nature or is a loan guarantee.

The proposed lease agreement with the FRPA does not fall within these categories, and a term longer than five years may now be entertained without the need for elector approval.

Analysis

The FRPA typically grants twenty year leases for water lots, with adjustments of rent every five years, and the Authority has confirmed that it would support that type of agreement for DL7990.

In order to secure the water lot lease fronting City lands in Steveston, it is recommended that a longer term agreement be obtained.

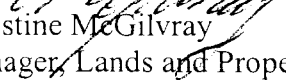
Financial Impact

The FRPA applies a “community rate” to the lease of water lots administered by the City where such water lots front community and park space and are not used for industrial purposes. This rate is now \$500.00 per annum.

The rent payments are included in the Parks Department annual operating budget (Account 4115-10-240-24020).

Conclusion

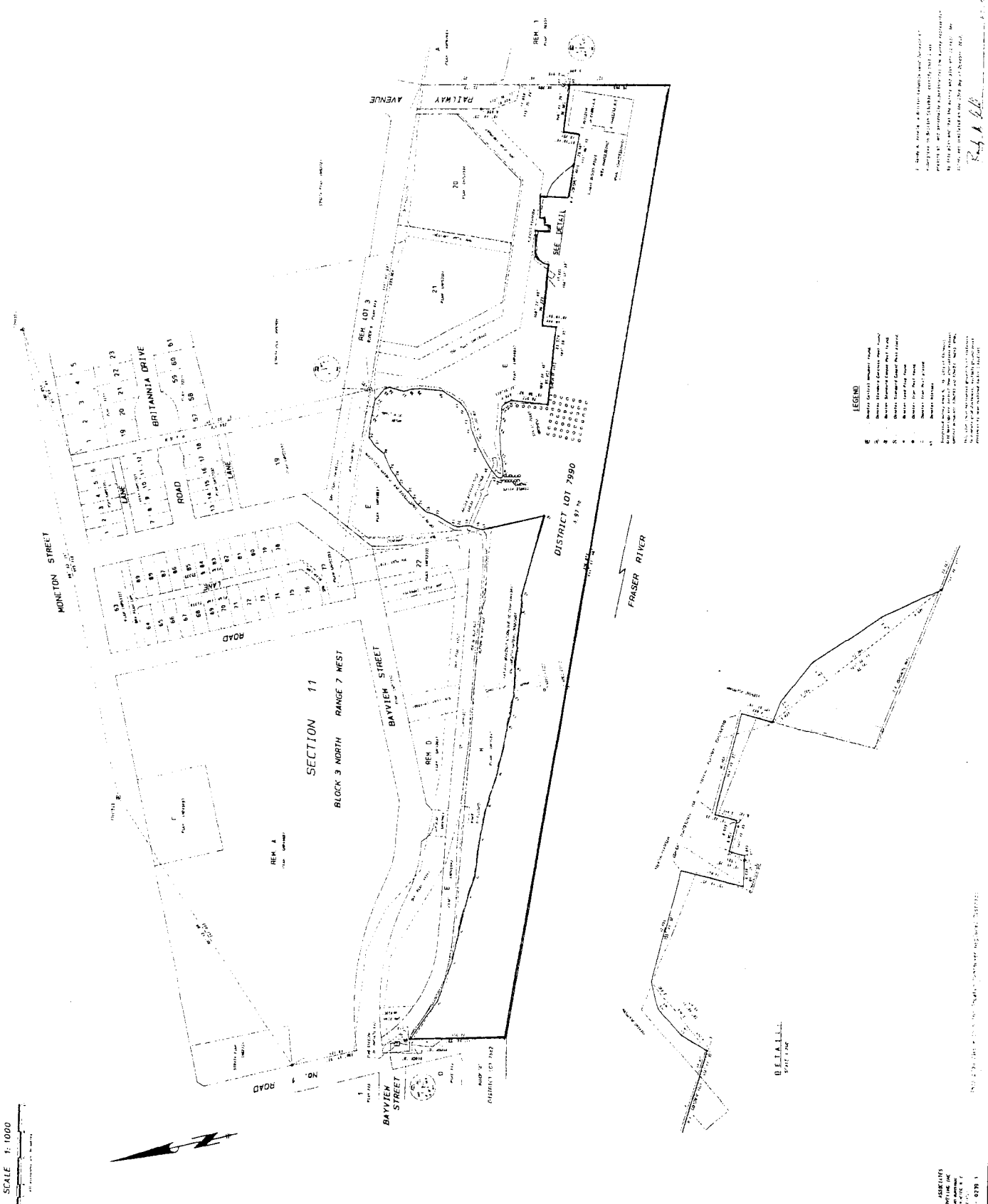
Staff recommend entering a twenty year agreement with the FRPA for the City’s Steveston (ex-Packers site) water lot lease and Council approval is required to finalize the matter.


Christine McGilvray
Manager, Lands and Property
(4005)

**SURVEY PLAN OF DISTRICT LOT 7990
GROUP 1 - NEW WESTMINSTER DISTRICT**

B C G S 926 015
SCALE 1:1000

Lot No.	Area (sq. ft.)	Area (sq. m.)	Remarks
1	10,000	929	
2	10,000	929	
3	10,000	929	
4	10,000	929	
5	10,000	929	
6	10,000	929	
7	10,000	929	
8	10,000	929	
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100	10,000	929	



- LEGEND**
- E Existing Survey Boundary
 - S Survey Boundary
 - D Proposed Survey Boundary
 - W Water
 - R Road
 - P Pathway
 - U Utility
 - Other

DESIGNED BY J. J. JENSEN
DRAWN BY J. J. JENSEN
FILE - 020 1

OFFICIAL PLAN
CONFIRMED UNDER SECTION 17
OF THE SURVEY ACT