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Corporate Report

NO: R202

COUNCIL DATE: July 26, 2004

REGULAR COUNCIL

TO: Mayor & Council DATE: July 14, 2004

FROM: General Manager, Engineering FILE: 0930-20/148

SUBJECT: Lease of 17077 Barnston Drive West from the Province of British Columbia

RECOMMENDATION

That Council approve a \$1 per year, 30-year lease of the property located at 17077 Barnston Drive West from Her Majesty The Queen in Right of the Province of British Columbia to the City of Surrey.

BACKGROUND

The property located at 17077 Barnston Drive West is a 1.7 hectare parcel that the City has been leasing since July 1991 for use as a park in conjunction with Bothwell Elementary School located north at 17070 102 Avenue. The principal element of the park is an all-weather soccer field with gravel paths providing pedestrian access from the surrounding neighbourhoods. The City's lease of the property is due to expire on July 27, 2004, and Land and Water British Columbia Inc. (LWBC) (agents for owners) has offered the City a new lease.

DISCUSSION

The City's lease of the subject property will expire on July 27, 2004. The City uses the property as park to a joint school and park site, and the City's continued occupation of the land is necessary. LWBC has offered the City a new lease for a 30-year term at a nominal rent. A summary of the pertinent information regarding the lease is as follows:

1. Landlord: Her Majesty the Queen in Right of the Province of British Columbia,

represented by the Minister of the Land Act

2. Tenant: City of Surrey

3. Property Site Area: 1.7 hectares (4.2 acres)4. Purpose: Park Facility

5. Improvements: An all-weather playing field6. Lease Term: 30 years from July 27, 2004

7. Lease Rate: Nominal rent of \$1 per year

LWBC has prepared the new lease document, which is not in registrable form. As such, the lease will not be registered at the Land Title Office.

Prior to the original lease being granted, the City requested a Free Crown Grant for the parkland property, but subsequently entered into the lease arrangement as an interim measure to expedite occupation of the parkland. The City continued to press for the Crown Grant, but several changes in both the Ministry and policy over time have hindered the application. In April 2004, the BC Government approved a new program, which requires all Free Crown Grant applications to be sponsored by a provincial ministry. While accepting the current lease offer,

the City will also pursue the Crown Grant. City staff have recently made a written request to the relevant Ministry for sponsorship of such a Crown Grant application.

CONCLUSION

The lease held by the City on the subject property expires in July 2004, and Land and Water BC has offered the City a new lease. The City requires continued use of the property for park purposes in conjunction with Bothwell Elementary School on the adjacent land. It is recommended that Council accept the lease offer on the property located at 17077 Barnston Drive West, for the term of 30 years commencing on July 27, 2004 at the nominal rent of \$1 per year.

Paul Ham, P. Eng. General Manager, Engineering

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cc: - Acting General Manager, Parks, Recreation and Culture

Appendices

- I. Site Map
- II. Aerial Photograph of Site