



BOARD REPORT

TO: Chair and Directors

File No: 2380 20

SUBJECT: Electoral Area E: Swansea Point Fire Hall - Statutory Right of Way Agreement

DESCRIPTION: Report from Derek Sutherland, Team Leader, Protective Services, dated July 7, 2022.

RECOMMENDATION: THAT: the Board waive the requirements of CSR D Policy No. A-47, Encumbrances on CSR D Land, and grant a Statutory Right of Way to BC Hydro over CSR D owned land legally described as District Lot 2928 Kamloops Division Yale District, located at 632 Davidson Drive in Swansea Point, BC to allow for the electrification of a cellular tower owned by Telus Communications Inc., this 21st day of July, 2022.

SHORT SUMMARY:

In December 2021, the Board authorized a Statutory Right of Way (SROW) agreement with Telus Communications Inc. to erect and maintain a cellular tower on Swansea Point Fire Hall property. BC Hydro is engaged to provide the electrical infrastructure for the tower and requires a Statutory Right of Way as well to ensure their infrastructure needs are protected.

VOTING:	Unweighted Corporate	<input type="checkbox"/>	LGA Part 14 (Unweighted)	<input type="checkbox"/>	Weighted Corporate	<input checked="" type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
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BACKGROUND:

Sitepath Consulting (Sitepath) contacted the CSR D in the spring of 2021 after identifying the Swansea Point Fire Hall property at 632 Davidson Road in Swansea Point, BC as a suitable location for a new cellular communication tower owned by Telus Communications Inc. (Telus). The purpose of the tower is to fill a gap in service in the Swansea Point/Mara area to provide the community with stable cellular and wireless internet coverage. Currently the wireless coverage in that area is marginal.

The proposed plans were reviewed with Sitepath and it was determined that there is an area of the Swansea Point Fire Hall property that would be suitable to erect a tower. The area is unused by the fire department with no future plans for use. Sitepath and Telus proposed a design and options for consideration which was formalized by the Board in 2021.

The agreement requires the CSR D to enter into a SROW with service providers such as BC Hydro to allow for the servicing of their infrastructure. BC Hydro has approached the CSR D to enter into a SROW agreement for the electrical infrastructure required to service Telus cellular tower.

POLICY:

CSR D Policy No. A-47, Encumbrances on CSR D Land, indicates CSR D owned lands will not be encumbered by tenancies; statutory rights of way; easements; contracts, leases or licenses, or any other interest in land which could expose the CSR D to liability and limit its ability to manage, plan or develop its lands. The Board must authorize a waiver to this policy in this instance to allow for a SROW

to be granted to BC Hydro so it can provide electrical service to a cellular tower on CSRD owned property.

FINANCIAL:

There are no financial implications regarding this application; BC Hydro has indicated their preference to attend to registration for all BC Hydro SROWs.

DESIRED OUTCOMES:

That the Board endorse the staff recommendation(s).

BOARD'S OPTIONS:

1. *Endorse the Recommendation(s).*
2. *Deny the Recommendation(s).*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

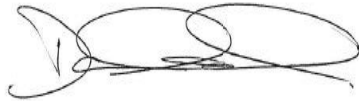
Report Approval Details

Document Title:	2022-07-21_Board_OM_Swansea_Point_Fire_Department_ROW_Agreement_BCHydro.docx
Attachments:	- ST200002 Hydro only blanket SCT.pdf
Final Approval Date:	Jul 12, 2022

This report and all of its attachments were approved and signed as outlined below:



Phaedra Turner



Darcy Mooney



Sheena Haines



Jennifer Sham

A handwritten signature in black ink, appearing to read "Jodi Pierce". The signature is written in a cursive, flowing style with a large initial "J" and "P".

Jodi Pierce