
TO: Regional Parks and Trails Select Committee **MEETING:** October 9, 2018
FROM: Joan Michel
Parks and Trails Coordinator **FILE:** 2017-020
SUBJECT: Trans Canada Trail – Private Land Use Agreement

RECOMMENDATION

That the RDN the 2018 - 2020 land use agreement with Gayle and Peter Brase for the Trans Canada Trail be approved.

SUMMARY

The RDN plans to develop approximately 1.5 km of Trans Canada Trail (TCT) between Timberlands Road and the Province's DL 6 and 20 gravel pit lands. The new regional trail route follows utility corridor and old road situated on lands owned by Island Timberlands and, in the case of a 25 m stretch of the road, lands owned by Gayle and Peter Brase. Island Timberlands has issued the RDN a licence for the proposed development on their lands, and the Brases have agreed to use of their lands for trail corridor, as set out in Attachment 1.

The RDN-Brase agreement is for a two-year term and bears no associated fee for land use. The two-year term was requested by the Brases and matches that of Island Timberlands' TCT licence. Under the Brase agreement, the RDN assumes liability for public use of their lands, agrees to trail closure during times of extreme fire risk, and commits to clearly demarcating public trail and private property through signage.

BACKGROUND

The south end of the RDN's TCT in Electoral Area C is being extended because the Province plans to restrict vehicle access to its nearby DL 6 and 20 gravel pit lands. Currently, trail users park in the gravel pit before heading out on the TCT. A new trailhead parking lot on Timberlands Road and access trail to the gravel pit has been negotiated with Island Timberlands (Attachment 2, Map of Trans Canada Trail Showing Planned 2018 Development). Use is being made of utility corridor and an old haul road. A section of the road, approximately 25 m, crosses the northwest corner of lands owned by Gayle and Peter Brase by way of a statutory right of way (SRW) in favour of Island Timberlands. Public recreational trail is not one of the recognized purposes of the SRW, and the RDN must obtain approval for trail from the landowner.

The attached land use agreement is based on the 2005 Thompson Clarke – Ocean Trail agreement in Area H, which was renewed in 2010 and 2015. These agreements are not registered on title and the landowner is able to terminate given notice. The RDN commits to erecting clear signage at site that distinguishes between private property and public trail corridor, and recognizes the community contribution being made by the private landowner. In

the case of the Brases' 25 m long trail corridor, the route consists of existing gravel roadway and no development other than signage is required.

ALTERNATIVES

1. That the 2018 - 2020 land use agreement with Gayle and Peter Brase for Trans Canada Trail be approved.
2. That alternative direction be provided.

FINANCIAL IMPLICATIONS

The approved construction budget for development of the TCT parking lot and access trail is \$65,000, which includes a \$30,000 development grant from BC's Rural Dividends Program awarded in March 2017. There is no fee associated with the Brase land use agreement, and project budget will cover signage commitments under the agreement. Continuing maintenance of the new access trail including the Brases' 25 m section is covered under the Regional Parks Budget.

STRATEGIC PLAN IMPLICATIONS

The RDN's strategic priority to focus on service and organizational excellence includes recognition that community mobility and recreational amenities are core services. Operation of a regional trail network in the RDN depends upon access to lands owned by others, and the negotiation of access agreements. The RDN is grateful to private landowners for this access.



Joan Michel
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September 5, 2018

Reviewed by:

- W. Marshall, Manager of Parks Services
- T. Osborne, General Manager of Recreation and Parks Services
- P. Carlyle, Chief Administrative Officer

Attachments

1. Licence to Use Lands For Trans Canada Trail
2. Map of Trans Canada Trail Showing Planned 2018 Development