



REPORT

To: Electoral Area Directors Committee

Report Number: CS-EADC-006

From: Trish Morgan, General Manager of Community Services

Date: April 22, 2021

Subject: **Prespatou Trail Project - Update**

RECOMMENDATION:

That the Electoral Area Directors Committee receive the report titled “Prespatou Trail Project Update - CS-EADC-006”, which provides an update on the Prespatou Trail Project, for information.

BACKGROUND/RATIONALE:

The Prespatou Planning Committee Society (PPCS) is working to develop a 680 meter long walking trail that would connect the Prespatou Elementary School, restaurant, churches, store, and senior’s complex in that community. This trail has been proposed for development mainly in the Ministry of Transportation and Infrastructure’s (MoTI) road right-of-way, with a portion of the trail falling on School District #60 property and on private land. Currently, Prespatou residents (specifically seniors and school aged children) walk on a paved road that does not have a shoulder, which poses a risk of harm to both pedestrians and drivers.

The PPCS received a Recreational Trails Grants-in-Aid for 2019 in the amount of \$38,561.25 for the project, but was advised by the PRRD that in order to claim the grant that a permit for development must be received from the MoTI prior to reimbursement of funds to develop and construct the trail. The PPCS applied to MoTI for the permit, but was advised that the permit would only be approved if held by the local government – the PRRD. The Board resolved that the PRRD apply for the permit, and that a Trail Maintenance Agreement between the PRRD and the PCCS be drafted for consideration, and that the agreement stipulate any conditions for trail construction and operations by the PRRD or MoTI be included. The permit was received in May, 2020.

The Trail Maintenance Agreement will outline the roles and responsibilities for the operation and maintenance of the trail, once constructed. As an appendix to the agreement, a number of conditions for trail development will be outlined in order to ensure that the trail and water and road crossings are built to an engineered standard.

Next Steps:

Task #1) That the PPCS hire a qualified professional firm to;

- a. Develop a plan and design for the water crossing that meets Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) standards.
- b. Develop a plan and design for the road crossing that meets MoTI standards.
- c. Review proposed “Walking Trail Profile” to ensure proposed trail construction is appropriate for a public use trail, and recommend changes if required.

- d. Prepare a short report detailing water crossing design and cost, trail design and cost, and road crossing design and cost. Submit to the PRRD, agencies and stakeholders for approval.

Task #2) Once approved, the PPCS will contract the professional firm to;

- e. Prepare and submit a 'Notification for Changes in and About a Stream' to FLNRORD.
- f. Prepare tender documents and be the project manager for construction of water crossing and road crossing.
- g. Ensure that MoTI is kept apprised of any potential impact to their infrastructure under the road.
- h. Manage construction.
- i. Complete a post construction inspection.
**note that volunteer labour and donated materials may be used, but will need to meet the specifications of the design*

Also required for this project will be an agreement between the owners of all properties and the PPCS that the trail is proposed to cross.

ALTERNATIVE OPTIONS:

1. That the Electoral Area Directors Committee provide further direction.

STRATEGIC PLAN RELEVANCE:

- ☒ Not Applicable to Strategic Plan.

FINANCIAL CONSIDERATION(S):

A grant of \$38,561.25 was provided to the Prespatou Planning Committee Society in 2019 for the project. The Society is requesting \$100,000 in 2021 through the Rural Recreational & Cultural Grants-in-Aid.

COMMUNICATIONS CONSIDERATION(S):

A meeting will be held with the PPCS.

OTHER CONSIDERATION(S):

Other issues of note include:

1. Easements for private and public property: While the proposed trail is largely within MoTI right-of-way, it is proposed to also cross School District #60 property and commercial (Prespatou Co-op Cardlock) property. It is recommended that the Society obtain legal easements or other land use agreements with the owners of these properties.
2. Liability: Given that the permit for the trail belongs to the Peace River Regional District, the PRRD will take on some risk and liability for trail users, even if the Maintenance Agreement has provisions for transferring liability, insurance, and ensuring that proper signage is posted. The permit holder (PRRD) owes a duty of care to ensure that any person will be reasonably safe in using the trail. According to the MFLNRORD, the duty of care is:

- a. not to create danger with intent to do harm to the person or damage their property, and
 - b. not to act with reckless disregard to the safety of the person or the integrity of their property.
3. Long-term operational costs and management: Trail development, maintenance, and operational costs are proposed to be borne by the Society. However, should the Society find itself unable to pay these costs, or goes defunct, the Regional District (as the permit holder) will be responsible for outstanding costs related to the trail and decommissioning, if determined.
4. Policy development: As part of the project, and ongoing trail operation, the PRRD will require a policy for trail inspection.

Attachments:

1. PPCS letter to PRRD re: Prespatou Walking Trail Permit