



ADMINISTRATIVE REPORT

Report Date: May 14, 2015
Contact: Jerry Evans
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VanRIMS No.: 08-2000-20
Meeting Date: June 9, 2015

TO: Vancouver City Council

FROM: General Manager of Real Estate and Facilities Management, in consultation with the General Manager of Parks and Recreation

SUBJECT: Request for Approval of an Easement Agreement to Allow an Encroachment on City-owned Property Located at 802 West 7th Avenue, Vancouver B.C.

RECOMMENDATION

THAT Council authorize the granting to the Owners of Strata Plan VR1388 (the "Strata") for a nominal amount, an easement (on terms and conditions acceptable to the Director of Legal Services and the Director of Real Estate Services) over a portion of the City owned property at 802 West 7th Avenue legally described as PID 008-499-110 Lot B Block 317 District Lot 526 Plan 13736 (the "City Lot") to permit the encroachment thereon of a building on the adjacent property at 816 West 7th Avenue, legally described as Strata Plan VR1388 (the "Adjacent Lot"), of which the Strata is the registered owner, and to authorize the Director of Legal Services to negotiate, conclude and execute an Easement Agreement on behalf of the City in accordance with the provisions in this report.

REPORT SUMMARY

The General Managers of Real Estate and Facilities Management and Parks and Recreation recommend approval of the aforementioned recommendation.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Council approval is required to grant an encumbrance against City-owned property.

REPORT

Background/Context

The City Lot, which is known as Willow Park, is located on the Southwest corner of Willow Street and West 7th Avenue. In the course of the Adjacent Lot applying for a building permit to carry out building envelope repairs, it was found that the proposed works would encroach onto a portion of the City Lot. The encroachment consists of a new rain screen stucco cladding with a 3/4 inch drainage cavity. This encroachment will project 7/8 of an inch onto the City Lot and the easement area required for the encroachment is shown on the plan attached as Appendix A.

Strategic Analysis

The Strata has requested that the City grant to it, for a nominal sum, an easement over the City Lot as shown on page 3 of Appendix A, to permit the existence and maintenance of the encroachment described above. The building to which the encroachment is attached is an older ten (10) unit residential strata building. The encroachment is necessary to allow for adequate water shedding and drainage from the Eastern face of the building. The easement is necessary to allow for the existence of the encroachment. The Director of Real Estate Services recommends that Council authorize the proposed easement on the following terms and conditions:

- A. Easement area will be as shown on the plan attached as Appendix A;
- B. Term to be for so long as the encroachment is required for the existing building on the Adjacent Lot;
- C. Easement Agreement to be drawn to the satisfaction of the Director of Legal Services and Director of Real Estate Services; and
- D. Encroachment Agreement to be registered on title of the City Lot with all registration fees to the Adjacent Lot owner's account.

Implications/Related Issues/Risk (if applicable)

Financial

There are no financial implications.

CONCLUSION

The Director of Real Estate Services and the General Manager of Parks and Recreation are of the opinion that this minor encroachment will have little effect on the future redevelopment potential or the value of the City Lot.

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