



ADMINISTRATIVE REPORT

Report Date: March 7, 2017
Contact: Al Zacharias
Contact No.: 604.873.7214
RTS No.: 11961
VanRIMS No.: 08-2000-20
Meeting Date: March 28, 2017

TO: Vancouver City Council

FROM: General Manager of Engineering Services

SUBJECT: 2655 Maple Street - Proposed Closure of Portions of Street to Accommodate Heritage Building Encroachments

RECOMMENDATION

- A. THAT Council authorize the Director of Legal Services to apply and raise title in the name of the City of Vancouver to the portion of Maple Street and the portion of lane north of West 11th Avenue that contain the encroachments of the existing building at 2655 Maple Street (the "Road and Lane"), the said portions being shown on a reduced copy of a Reference Plan attached as Appendix A.
- B. THAT all those volumetric portions of Road and Lane included within the heavy outline and illustrated isometrically on a plan of survey, a reduced copy of which is attached as Appendix B, be closed, stopped-up and that an easement be granted to the owner of abutting [PID: 014-191-181] Lot 11 Block 365 District Lot 526 Plan 1949 ("Lot 11") to contain the portions of the existing building which encroach onto the Road and Lane, to the satisfaction of the Director of Legal Services.
- C. THAT the fees for the document preparation, registration and use of the easement referred to in Recommendation B are to be in accordance with those prescribed under the Encroachment By-law.
- D. THAT Council authorize the General Manager of Engineering Services to approve minor and inconsequential amendments to the dimensions of the Road and Lane and the volumetric easement following provision of legal survey plans and as-built surveys, prepared by a B.C. Land Surveyor.

- E. THAT the Director of Legal Services be authorized to execute all documents and plans required.

REPORT SUMMARY

The purpose of this report is to obtain Council authority to close and stop-up encroached upon portions of Road and Lane, and to grant an easement to contain the encroaching elements of the heritage building located at 2655 Maple Street.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

The authority for closing and stopping-up of streets and lanes is set out in Section 291 of the Vancouver Charter.

The provisions of the Vancouver Charter relating to establishing rights over City street to accommodate encroachments are used from time to time to validate heritage building encroachments.

On November 1, 2016, Council enacted the By-law to designate the structure and exterior envelope and exterior building materials of the heritage building at 2655 Maple Street as protected heritage property.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The General Manager of Engineering Services recommends approval of the foregoing.

REPORT

Background/Context

Development Application No. DE419817 has been submitted for Lot 11 (2655 Maple Street), and has been reviewed and approved "in principle" by the Director of Planning. The development proposal includes the retention of the two storey heritage building (known as the F. Haynes and Company Building), which will be converted to a multiple conversion dwelling consisting of two units. A seven storey multiple dwelling building with townhouse units on the ground and second levels, over two levels of underground parking, will also be constructed on the site. The Policy Report (Development and Building - RTS11685) for the designation of the heritage building was approved by Council at its meeting of October 18, 2016.

The encroachments onto the Road and Lane consist of the roof parapet, roof overhang and bay windows of the heritage building.

The owner intends to subdivide Lot 11 by Strata Plan, and in accordance with the Strata Property Act, the Strata Corporation must establish control over the portions of Road and Lane affected by the building encroachments. To accomplish this, the

volumetric portions of Road and Lane containing the encroachments must be closed and stopped-up, and an easement must be granted in favour of the Strata Corporation. It is also necessary to raise title for the portions of Road and Lane that are encroached upon.

The formal Resolution which will accompany the application to raise title to the portions of Road and Lane, and to close, stop-up and grant a volumetric easement over the portions of Road and Lane, will be finalized and forwarded for Council's consideration and execution following completion of all exterior renovation work on the heritage building.

The Road and Lane were dedicated by the deposit of Plan 1949 in 1909.

Strategic Analysis

The retention and designation of the two storey heritage building is a condition of development permit approval, and the heritage designation has been approved by Council.

Council authority is required to close and stop-up the encroached upon portions of Road and Lane, and to authorize registration of a volumetric easement over the portions of Road and Lane described in Recommendation B. Recommendation A seeks authority to raise title to the encroached upon portions of Road and Lane.

The granting of the easement allows for the retention of the encroaching elements of the building, and enables strata subdivision of the building.

Implications/Related Issues/Risk (if applicable)

Financial

Fees will be charged in accordance with the Encroachment By-law, and will consist of a fee of \$4,545.12 for the granting of an easement over the portions of Road and Lane to accommodate the building encroachments. Since this is a designated heritage property, the encroachments will not be subject to an annual charge.

CONCLUSION

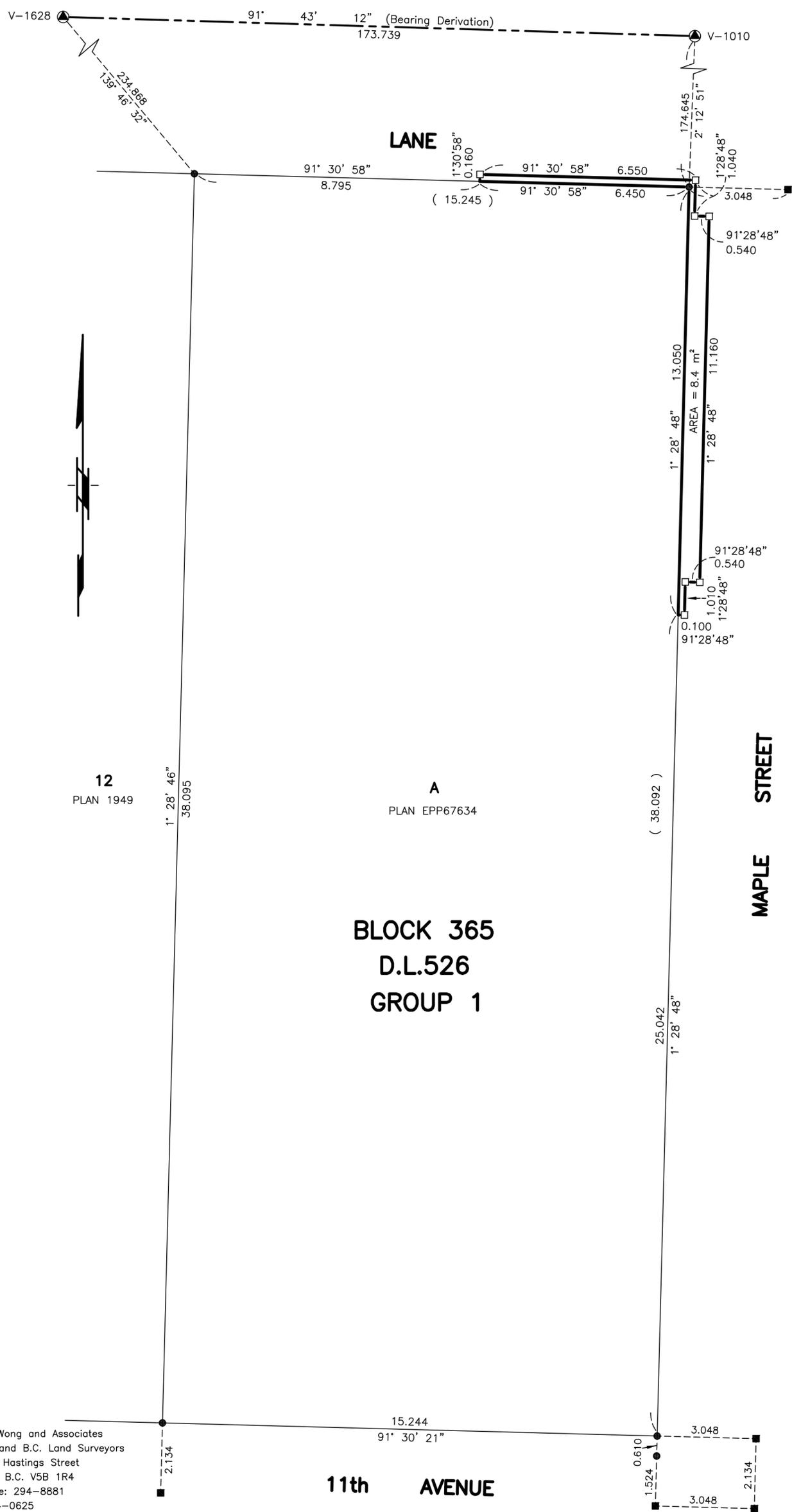
The General Manager of Engineering Services recommends approval of the Recommendations contained in this report.

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**REFERENCE PLAN TO ACCOMPANY AN APPLICATION FOR THE REGISTRATION OF TITLE
IN THE NAME OF THE CITY OF VANCOUVER TO THOSE PORTIONS OF ROAD AND LANE
DEDICATED BY THE DEPOSIT OF PLAN 1949, ADJACENT TO LOT A, BLOCK 365,
DISTRICT LOT 526, GROUP 1, NEW WESTMINSTER DISTRICT, PLAN EPP67634**

PLAN EPP67635

BCGS:92G.025



All dimensions are in metres and decimals thereof unless otherwise indicated.

The intended plot size of this plan is 432mm in width by 560mm in height (sheet size C) when plotted at a scale of 1:100.

LEGEND:

- ▲ control monument found
- standard iron post found
- lead plug found
- lead plug set
- m² square metres

Integrated Survey Area No. 31, City of Vancouver
NAD83 (CSRS), 4.0.0.BC.1.GVRD
Grid bearings are derived from observations between geodetic control monuments V-1638 and V-1010. The UTM coordinates and estimated horizontal positional accuracy achieved have been derived from the MASCOT published coordinates and standard deviations for geodetic control monuments V-1638 and V-1010. This plan shows horizontal ground-level distances unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.9995983 which has been derived from geodetic control monuments V-1638 and V-1010.

NAD83 (CSRS), 4.0.0.BC.1.GVRD		UTM ZONE 10 COORDINATES		
GCM	NORTHING	EASTING	COMBINED FACTOR	HORIZONTAL POSITIONAL ACCURACY
V-1628	5456810.206	488864.838	0.9995985	±0.01m
V-1010	5456804.993	489038.429	0.9995981	±0.01m

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160805 FB935 P160
SZ-
R-4277, R-9767A
Drawn by: RH

FILE: SU-2851

This plan lies within the Greater Vancouver Regional District.

The field survey represented by this plan was completed on the 27th day of January, 2017.
Steven E. Wong, B.C.L.S. 942

