



CITY OF VANCOUVER

ENGINEERING SERVICES
D.H. Rudberg, P.Eng., General Manager
T.R. Timm, P.Eng., Deputy City Engineer

August 11, 2000

Architectura Planning Architecture Interiors Inc. 500 - 1500 West Georgia Street Vancouver, BC V6G 2Z6

Attention:

Mr. Richard Bernstein

Dear Sir:

Re:

401 BURRARD STREET

LOT 1 PLAN LMP11726, BLOCK 1, DISTRICT LOT 185

PROPOSED ROAD CLOSURE

We refer to your letter of June 20, 2000 regarding the proposed closure of the right turn facility for south bound Burrard Street traffic wishing to go west bound on Pender Street. This is further to your meeting with Bruce Maitland, Noel Peters and Mike Thomson on Thursday August 3, 2000, in Bruce's office. At that meeting you expressed an interest in pursuing an encroachment agreement to use the road area that will be in excess of that needed by the City for road purposes. Prior to this we had been working toward a sale of this excess road area.

This letter is to confirm the advice given to you at the meeting in Bruce Maitland's office, that we would be prepared to instruct the Direct of Legal Services to prepare an agreement under the provisions of the Encroachment By-Law validating the use by the abutting owner of the portion of road deemed as not being required for road purposes, after the necessary road modifications are made at the northwest corner of Burrard and Pender Streets. This is on the basis that the abutting owner will be contributing to the cost of the intersection improvements necessary to close off right turn facility and that the subject area would remain open to public access with no permanent structures other than the plaza surface being placed on the subject area.

The encroachment agreement would provide for indemnification of the City and would make the abutting owner, Canada Lands, responsible for the maintenance of the area. There is no annual rental for sidewall surfaces (non-standard). The agreement would contain such other provisions as may be required by the Director of Legal Services.

Should you have any further questions please refer them to Noel Peters at 873-7328.

Yours truly,

TrR'.Timm, P.Eng.

Deputy City Engineer

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