



CITY OF VANCOUVER

A7

ADMINISTRATIVE REPORT

Report Date: May 30, 2006
Author: Alan Zacharias
Phone No.: 604.873.7214
RTS No.: 5994
VanRIMS No.: 13-2000-30
Meeting Date: June 13, 2006

TO: Vancouver City Council

FROM: General Manager of Engineering Services

SUBJECT: 610 Granville Street - Proposed Closure of a Portion of the East Side of Granville Street South of Dunsmuir Street

RECOMMENDATION

- A. THAT Council authorize the Director of Legal Services to sign on behalf of the City a Reference Plan attested to by G.A. Hol, B.C.L.S., on the 29th day of May, 2006, marginally numbered FILE: 2112-06910-04, defining the horizontal limits of the encroachment onto the east side of Granville Street south of Dunsmuir Street (the "Road"), a reduced copy of which is attached as Appendix "A", by the building at 610 Granville Street, and apply to raise title to that portion of Road defined on the said Reference Plan in the name of the City of Vancouver.
- B. THAT all that volumetric portion of the Road included within the heavy outline and illustrated isometrically on a plan of survey certified correct on the on the 29th day of May, 2006 by G.A. Hol, B.C.L.S., and marginally numbered FILE: 2112-06910-05 REV1 (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 Airspace Parcel 1 Block 43 District Lot 541 Group 1 New Westminster District Airspace Plan BCP _ _ _ _ to contain the portions of the existing building which encroach onto the Road. The easement to be for the life of the encroaching portions of the existing building on said Airspace Parcel 1 and to be to the satisfaction of the Director of Legal Services.
- C. THAT fees for the document preparation, registration and use of the easement referred to in Recommendation "B" are to be in accordance with those charged for in an agreement prepared pursuant to the Encroachment By-law.

If Council approves this report the Formal Resolution to close the portion of Road will be before Council later this day for approval.

COUNCIL POLICY

The authority for closing and disposing of street and lanes is set out in the Vancouver Charter.

PURPOSE

The purpose of this report is to obtain Council authority to grant an easement to contain the encroachment of the residential portions of the building located at 610 Granville Street.

BACKGROUND

The subject site, Parcel "A" Block 43 District Lot 541 Group 1 New Westminster District Plan BCP975 ("Parcel A"), presently has a 35 storey mixed-use retail/office/residential building under construction in accordance with Development Permit DE407219.

Section 219 Covenant BV282063, registered against the title of Parcel A, requires that the buildings located on the site cannot be occupied until agreements have been registered providing for all of the building encroachments onto City street.

The owner has indicated his intention to subdivide by way of an air space plan to create an air space parcel to contain the residential component of the building and then to further subdivide the air space parcel into residential strata lots. This report deals with the encroachments that are related to the residential component of the building.

The Registrar of Land Titles has taken the position that to satisfy the Strata Property Act, the strata corporation must have control over the portion of street or lane affected by the building encroachment for the life of the building. To accomplish this, the volumetric portion of Granville Street that contains the encroachment must be closed, stopped-up, and an easement granted.

The site is subject to a Heritage Revitalization Agreement registered on title as BT324468 which requires the owner to preserve and protect the heritage facades of the original 1928 B.C. Electric Showroom building (formerly 600 Granville Street) and an 1892 Italianate style building (formerly 648 Granville Street). The heritage facades are attached to the retail/office portion of the building and will be authorized by separate standard encroachment agreements that are not the subject of this report. The encroachment that is the subject of this report is a new eighth level eyebrow cornice that has been constructed in keeping with character of the neighbourhood and the heritage facades discussed above.

Granville Street was dedicated by the deposit of Plan 210 in 1894.

DISCUSSION

On the Granville Street side of Airspace Parcel 1 a new eighth level building overhang (eyebrow cornice) encroaches a maximum of 0.960 metres onto Granville Street.

It is necessary to seek Council approval to close, stop-up and authorize registration of a volumetric easement over the portion of the Road described above in Recommendation "B". Recommendation "A" seeks authority to raise title to the portion of Road encroached upon.

We are RECOMMENDING that fees be charged as per the Encroachment By-law. This is consistent with past Council direction.

* * * *

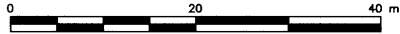
PLAN BCP

DEPOSITED IN THE LAND TITLE OFFICE
AT NEW WESTMINSTER, B.C.
THIS ___ DAY OF _____

REGISTRAR

REFERENCE PLAN TO ACCOMPANY AN APPLICATION FOR THE REGISTRATION
OF TITLE IN THE NAME OF CITY OF VANCOUVER TO THAT PORTION OF
ROAD DEDICATED BY THE DEPOSIT OF PLAN 210, ADJACENT TO PARCEL A
EXCEPT AIR SPACE PCL 1 AIR SPACE PLAN BCP_ _ _ BLOCK 43
DISTRICT LOT 541 GROUP 1 NWD PLAN BCP975
B.C.G.S. 92G.025

SCALE 1 : 400



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF

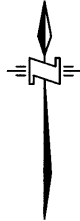
INTEGRATED SURVEY AREA No. 31. (CITY OF VANCOUVER). NAD83 (CSRS)

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES EXCEPT
WHERE OTHERWISE NOTED. TO COMPUTE GRID DISTANCES,
MULTIPLY GROUND-LEVEL DISTANCES BY COMBINED FACTOR 0.9995997

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS
BETWEEN CONTROL MONUMENTS V-3924 AND V-3925

LEGEND

| SYMBOLS | DESCRIPTION |
|---------|--------------------|
| FOUND | PLACED |
| ⊙ | CONTROL MONUMENT |
| ○ | STANDARD IRON POST |
| ■ | LEAD PLUG |



CITY OF VANCOUVER

AUTHORIZED SIGNATORY

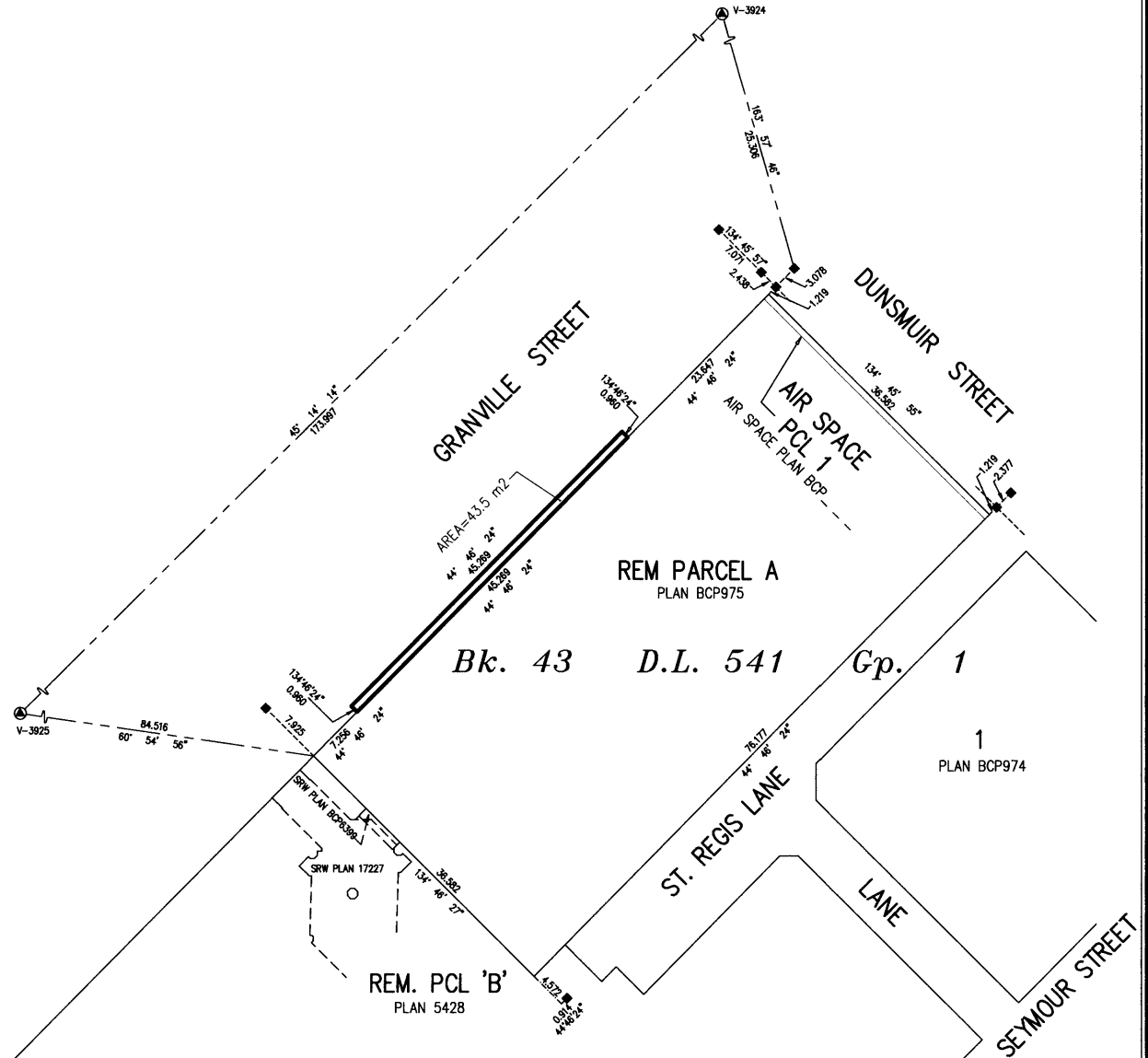
WITNESS AS TO ABOVE SIGNATURE
(PRINT NAME CLEARLY NEAR SIGNATURE)

ADDRESS OF WITNESS

OCCUPATION OF WITNESS

I, G.A. HOL, A BRITISH COLUMBIA LAND SURVEYOR OF
SURREY, IN BRITISH COLUMBIA, CERTIFY THAT I WAS
PRESENT AT AND PERSONALLY SUPERINTENDED THE SURVEY
REPRESENTED BY THIS PLAN, AND THAT THE SURVEY AND
PLAN ARE CORRECT. THE FIELD SURVEY WAS COMPLETED
ON THE 29th DAY OF MAY, 2006.
THE PLAN WAS COMPLETED AND CHECKED, AND THE
CHECKLIST FILED UNDER ECP#49089, ON THE 29th DAY OF
MAY, 2006.

B.C.L.S.



THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT - CITY OF VANCOUVER

McELHANNEY ASSOCIATES
LAND SURVEYING LTD.
13160 88th AVENUE
SURREY, BC V3W 3K3
TEL: 604-596-0391
FILE: 2112-06910-04

DEPOSITED IN THE LAND TITLE OFFICE
AT NEW WESTMINSTER, B.C.
THIS _____ DAY OF _____

REGISTRAR

EXPLANATORY PLAN OF VOLUMETRIC EASEMENT OVER THAT PORTION OF ROAD INCLUDED IN REFERENCE PLAN BCP___ DEDICATED BY DEPOSIT OF PLAN 210, ADJACENT TO AIR SPACE PARCEL 1 BLOCK 43 DISTRICT LOT 541 GROUP 1 NWD AIR SPACE PLAN BCP___

B.C.G.S. 926.025

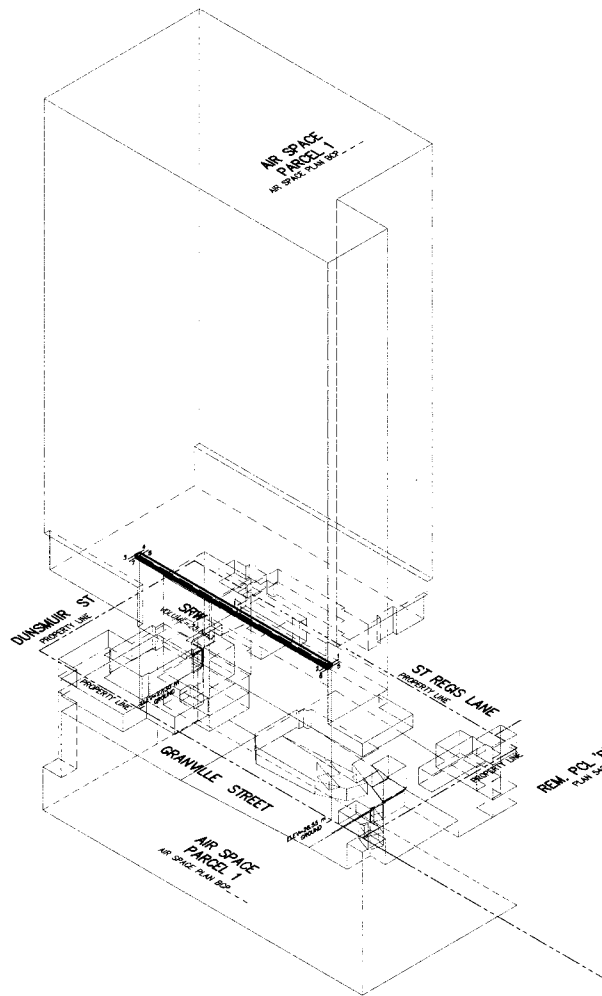
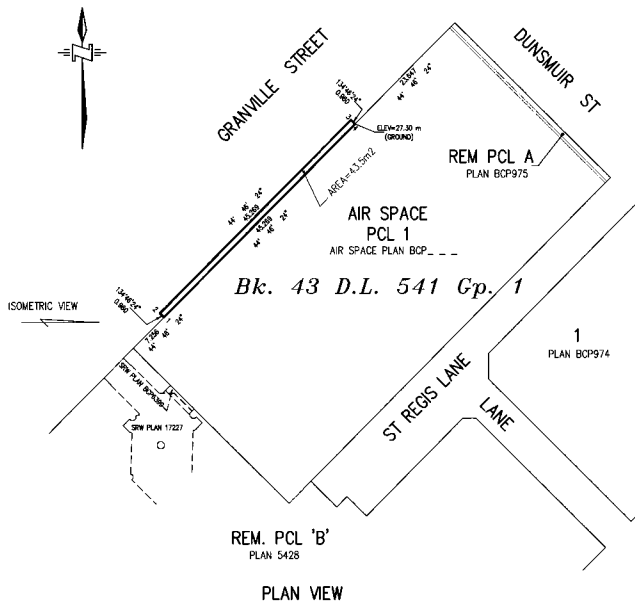


ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF
INTEGRATED SURVEY AREA No. 31, (CITY OF VANCOUVER), NAD83 (CSRS)

LEGEND
GRID BEARINGS ARE DERIVED FROM REFERENCE PLAN BCP___
GEODETIC ELEVATIONS ARE DERIVED FROM CONTROL MONUMENT V0924 ELEV=26.084m

| BOOK OF REFERENCE | |
|---------------------|------------------------|
| DESCRIPTION | AREA (m ²) |
| VOLUMETRIC EASEMENT | 25.6 |

| TABLE OF CO-ORDINATES | | | |
|-----------------------|----------|----------|-----------|
| POINT | NORTHING | EASTING | ELEVATION |
| 1 | 1020.923 | 4904.541 | 67.83 |
| 2 | 1020.489 | 4903.950 | 67.82 |
| 3 | 1020.055 | 4903.743 | 67.82 |
| 4 | 1020.059 | 4903.074 | 67.82 |
| 5 | 1020.489 | 4903.743 | 67.82 |
| 6 | 1020.923 | 4904.541 | 67.83 |



THIS PLAN WAS COMPLETED AND CHECKED, AND THE CHECKLIST FILED UNDER ECP#48100 ON THE 29th DAY OF MAY, 2008 AND IS HEREBY CERTIFIED CORRECT IN ACCORDANCE WITH THE LAND TITLE OFFICE RECORDS.

gph
G.A. HGL B.C.L.S.

ISOMETRIC VIEW
N.T.S.

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT - CITY OF VANCOUVER

McELMANNY ASSOCIATES
LAND SURVEYING LTD.
13160 88th AVENUE
SURREY, BC V0W 3K3
TEL: 604-598-0381
FILE: 2112-09810-05 REV1