



## ADMINISTRATIVE REPORT

Report Date: September 1, 2011  
Contact: Michael Flanigan  
Contact No.: 604.873.7422  
RTS No.: 9323  
VanRIMS No.: 08-2000-20  
Meeting Date: September 20, 2011

TO: Vancouver City Council

FROM: Director of Real Estate Services in consultation with the General Manager of Parks and Recreation

SUBJECT: Request for approval of an easement agreement to validate an encroachment on City-owned property located at 2050 Wall Street

### ***RECOMMENDATION***

THAT Council authorize the granting to the Provincial Rental Housing Corporation ("PRHC") for a nominal amount of 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 2050 Wall Street legally described as PID 007-038-879 Lot C Block 19 District Lot 184 Plan 19312 ("the City Lot") to permit for the continued encroachment thereon of a building on the adjacent property at 2026 Wall Street legally described as PID 015-685-306 Lot 5 Block 19 District Lot 184 Plan178 ("the Adjacent Lot"), of which the PRHC is the registered owner, and to authorize the Director of Legal Services to negotiate, conclude and execute an agreement on behalf of the City in accordance with the provisions in this report.

### ***GENERAL MANAGER'S COMMENTS***

The General Managers of Business Planning & Services and Parks and Recreation recommend approval.

### ***COUNCIL POLICY***

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

### ***PURPOSE***

The purpose of this report is to seek Council authority for an easement agreement to be registered on the title of the City Lot to validate the encroachment thereon of a building situated on the Adjacent Lot.

***BACKGROUND***

The City Lot which known as Oxford Park is located on the northwest corner of Lakewood Drive and Wall Street. In the course of carrying out repairs on the commercial building on the Adjacent Lot it was found that portions of the building encroached onto a portion of the park. The encroachment consists of exterior cladding, drain pipes and overhead flashing attached to the building on the Adjacent Lot. Those encroachments, at their greatest extent, project to a distance of 0.914m onto the City Lot within the proposed easement area shown on the plan marked Appendix A.

***DISCUSSION***

The PRHC has requested that the City grant to it for a nominal sum an easement over the proposed easement area shown on Appendix A to permit the continued existence and maintenance there of the encroachments described above. The building to which the encroachments are attached is a concrete, commercial building consisting of two units. The encroachments are necessary to allow for adequate water shedding and drainage from the building. The easement is necessary to allow for the continued existence and maintenance of the encroachments. 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 encroachments are 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.
- d. Encroachment agreement to be registered on title of the City Lot with all registration fees to be to the Adjacent Lot owner's account.

***FINANCIAL IMPLICATIONS***

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 Oxford Park.

\* \* \* \* \*

**EXPLANATORY PLAN OF EASEMENT OVER  
A PORTION OF LOT C, BLOCK 19,  
DISTRICT LOT 184, PLAN 19312  
PURSUANT TO SECTION 99(1)(e), LAND TITLE ACT  
BCGS 92G.025**

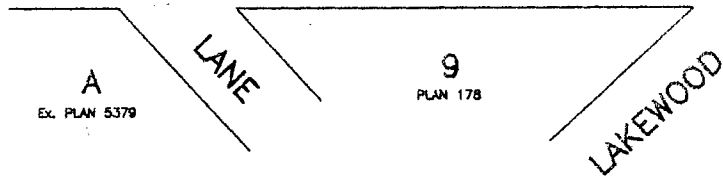
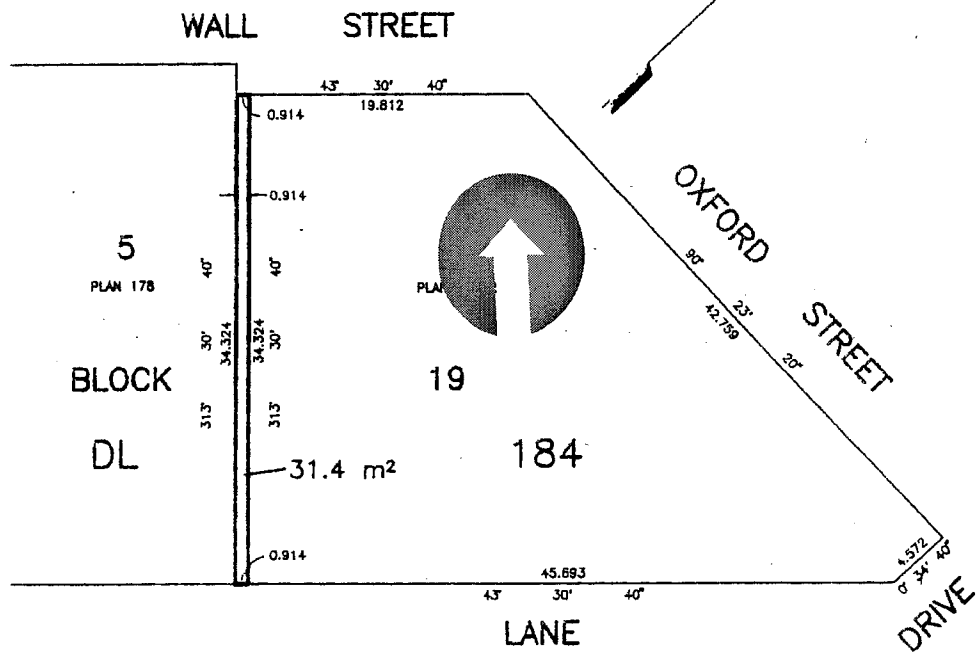
**PLAN BCP**

DEPOSITED IN THE LAND TITLE OFFICE  
AT NEW WESTMINSTER, B.C. THIS  
DAY OF \_\_\_\_\_, 2011



THE INTENDED PLOT SIZE OF THIS PLAN IS  
280mm IN WIDTH BY 432mm IN HEIGHT (B SIZE)  
WHEN PLOTTED AT A SCALE 1:300

REGISTRAR



BOOK OF REFERENCE	
DESCRIPTION	AREA
A PORTION OF LOT C, BLOCK 19, DISTRICT LOT 184, PLAN 19312	31.4m <sup>2</sup>