



COUNCIL REPORT

Report Date: October 23, 2024
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VanRIMS No.: 08-2000-20
Meeting Date: December 10, 2024
[Submit comments to Council](#)

TO: Vancouver City Council

FROM: General Manager of Engineering Services

SUBJECT: 2511 Carolina Street - Closure of Portions of Street to Accommodate Heritage Building Encroachments

Recommendations

- A. THAT Council authorize the Director of Legal Services to apply and raise title in the name of the City of Vancouver to the portions of Carolina Street and East Broadway that contain the encroachments of the existing building at 2511 Carolina Street (the "Roads"), the said portions being shown on a reduced copy of a Reference Plan attached as Appendix A.
- B. THAT all those volumetric portions of Roads 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 and stopped-up, and that an easement be granted to the owner of abutting [PID: 030-880-777] Lot A Block 156 District Lot 264A Group 1 New Westminster District Plan EPP94804 ("Lot A") to contain the portions of the existing building cornices which encroach onto the Roads, 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 the Director of Legal Services be authorized to execute all documents and plans required, as referenced in Recommendations A to C.

Purpose and Executive Summary

The purpose of this report is to obtain Council authority to close and stop-up certain encroached upon portions of Roads, and to grant an easement to the adjacent landowner to allow for retention of the encroaching elements of the heritage building located at 2511 Carolina Street for the life of the building.

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 May 28, 2019, pursuant to Section 593 of the *Vancouver Charter*, Council enacted By-law No.12432 to designate the structure, exterior envelope and exterior building materials for the heritage building located at 2511 Carolina (“The Carolina”) as protected heritage property.

City Manager’s Comments

The City Manager concurs with the foregoing recommendations.

Context and Background

In accordance with Development Application No. DP-2018-00851 (issued October 2, 2019), Lot A is being developed with the addition of a 6-storey mixed use building containing retail/artist studio uses at the first and second storeys and a total of 62 market rental units above.

The development includes the retention and restoration of the existing municipally designated heritage building (known as “The Carolina”). The encroachments onto the Roads consist of portions of the first floor and roof level building cornices of the heritage building as shown outlined in blue and red in Appendix C.

The owner intends to subdivide Lot A by Strata Plan, and in accordance with the Strata Property Act, the Strata Corporation must establish control over the portions of Roads affected by the building encroachments. To accomplish this, the volumetric portions of Roads 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 Roads that are encroached upon.

The Roads were dedicated by the deposit of Plan 185 in 1885, and Plan 390 in 1890.

Discussion

The retention and restoration of the heritage building including the street facing façades and two original cornice features is a condition of development permit approval, and the heritage

designation has previously been approved by Council.

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

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

Financial Implications

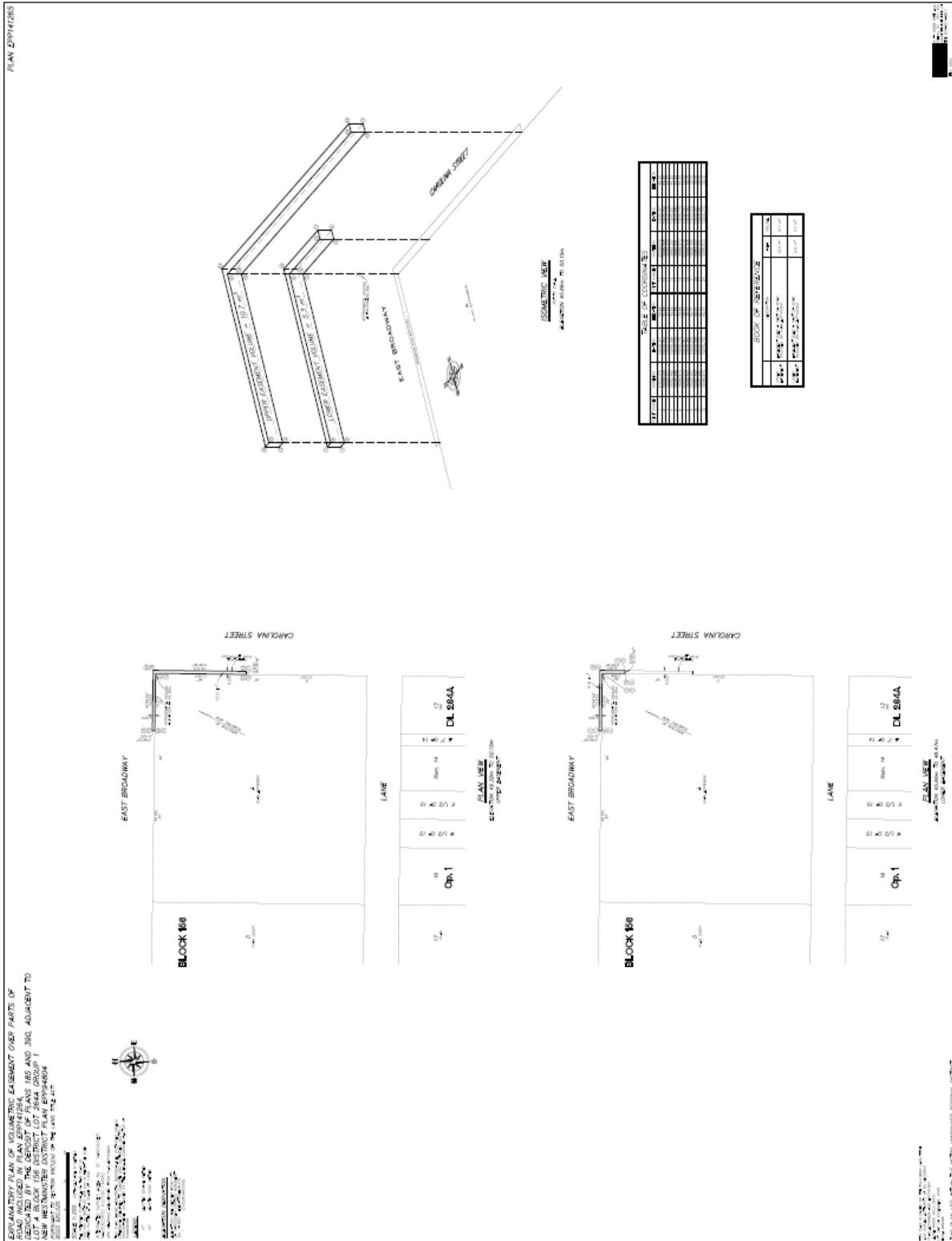
Fees will be charged in accordance with the Encroachment By-law, and will consist of a fee of \$5,565.00 for the granting of an easement over the portions of Roads to accommodate the building encroachments. Since this is a designated heritage property, the encroachments will not be subject to an annual charge.

Legal Implications

There are no legal implications associated with this report's recommendations.

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APPENDIX B Volumetric Easement Plan EPP141265



APPENDIX C
Illustrative Photo

