



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: March 6, 2006
Author: Alan Zacharias
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RTS No.: 5795
VanRIMS No.: 13-2000-30
Meeting Date: March 21, 2006

TO: Vancouver City Council

FROM: General Manager of Engineering Services

SUBJECT: 55 East Cordova Street - Proposed Closure of a Portion of the North Side of Cordova Street West of Columbia Street; the West Side of Columbia Street North of Cordova Street; and the South Side of Lane North of Cordova Street, West from Columbia Street

RECOMMENDATION

- A. THAT Council authorize the Director of Legal Services to sign on behalf of the City a Reference Plan attested to by William P. Wong, B.C.L.S., on the 17th day of February, 2006, marginally numbered V-06-14061-REF-2, defining the horizontal limits of the encroachment onto the north side of Cordova Street west of Columbia Street; the west side of Columbia Street north of Cordova Street; and the south side of lane north of Cordova Street, west from Columbia Street; (the "Road and Lane"), a reduced copy of which is attached as Appendix "A", by the building at 55 East Cordova Street, and apply to raise title to that portion of Road and Lane defined on the said Reference Plan in the name of the City of Vancouver.
- B. THAT all that volumetric portion of the Road and Lane included within the heavy outline and illustrated isometrically on a plan of survey certified correct on the 17th day of February, 2006 by William P. Wong, B.C.L.S., and marginally numbered V-06-14061-EAS (a reduced copy of which is attached a Appendix "B"), be closed, stopped-up and that an easement be granted to the owner of abutting Lot W Block 7 District Lot 196 Group 1 New Westminster District Plan BCP13893 to contain the portions of the existing building which encroach onto the Road and Lane. The easement to be for the life of the encroaching portions of the existing building on said Lot W and to be to the satisfaction of the Director of Legal Services.

- C. THAT fees for the document preparation, and registration 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 and Lane will be before Council later this day for approval.

COUNCIL POLICY

The authority for closing and disposing of streets 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 encroaching elements of the building located at 55 East Cordova Street.

BACKGROUND

The subject site involves the conversion of an existing warehouse/manufacturing building into a six story commercial live/work building in accordance with Development Permit DE408005. The site is subject to a Heritage Revitalization Agreement registered on title as BW311905 which obligates owner to preserve the heritage facades of the building. The owner has applied to subdivide the existing building into 118 residential strata units.

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 Road and Lane containing the encroachments, as shown in heavy bold outline on reduced plan attached as Appendix B, must be closed, stopped-up, and an easement granted.

The Road and Lane were dedicated as road by the deposit of Plan 184.

DISCUSSION

On the Cordova Street side of Lot W there are portions of the building façade including an original roof level brick cornice (parapet) and a decorative metal cornice above the store front glazing that encroach a maximum of 0.350 metres onto Cordova Street.

On the Columbia Street side of Lot W there are portions of the building façade including an original roof level brick cornice (parapet) and a decorative metal cornice above the store front glazing that encroach a maximum of 0.380 metres onto Columbia Street.

On the lane side of Lot W there are portions of the building roof and gutter including the original roof level brick cornice (parapet) that encroach a maximum of 0.368 metres onto the lane.

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

Other heritage feature encroachments, related to this site but not dealt with in this report, specifically being; a water tower platform encroaching onto the lane; and a decorative fire escape encroaching onto Cordova Street; will be covered by a standard encroachment agreement to the satisfaction of the Director of Legal Services and registered against the title of Lot W. The water tower and fire escape have been considered to be "not a portion of the building" and therefore not subject to the same rigour as the building encroachments described above.

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

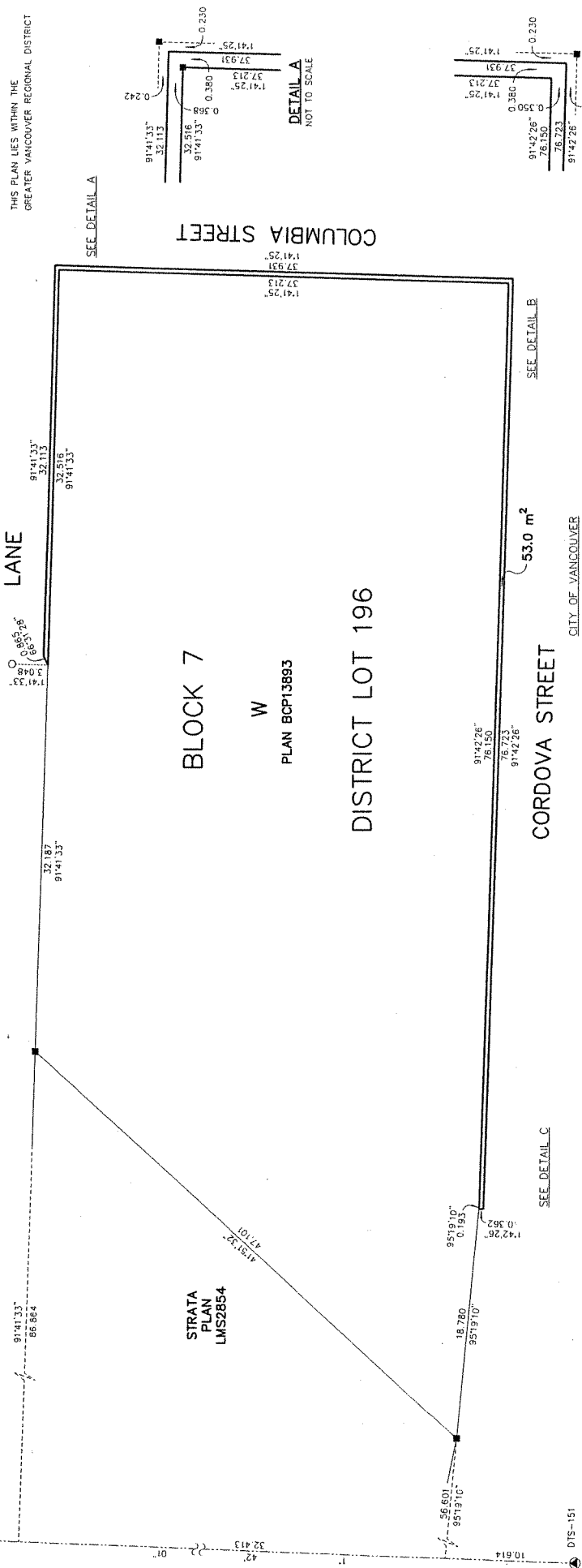
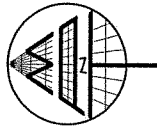
* * * *

REFERENCE PLAN TO ACCOMPANY AN APPLICATION FOR THE REGISTRATION OF TITLE IN THE NAME OF THE CITY OF VANCOUVER TO THOSE PORTIONS OF ROAD DEDICATED BY THE DEPOSIT OF PLAN 184 ADJACENT TO LOT W BLOCK 7 DISTRICT LOT 196 GROUP 1 N.W.D. PLAN BCP13893

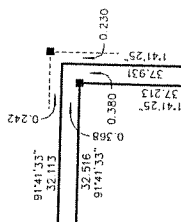
B.C.G.S. 92G.025

PLAN BCP
REF. No. _____

DEPOSITED IN THE LAND TITLE OFFICE
AT NEW WESTMINSTER, B.C.
THIS _____ DAY OF _____ 2006.
DEPUTY REGISTRAR

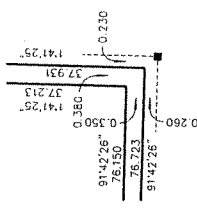


SEE DETAIL A



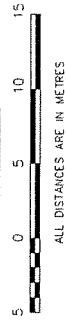
DETAIL A
NOT TO SCALE

SEE DETAIL B



DETAIL B
NOT TO SCALE

LEGEND
SCALE 1:250



GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN GEODETIC CONTROL MONUMENTS DTS-151 AND V-972. NAD83 (CGRS) INTEGRATED SURVEY AREA NO. 31, CITY OF VANCOUVER

INDICATES CONTROL MONUMENT FOUND

INDICATES LEAD PLUG FOUND

INDICATES IRON POST PLACED

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES EXCEPT WHERE OTHERWISE NOTED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY CORRECTION FACTOR 0.9995037.

WITNESSES OR OFFSET POSTS ARE ON PROPERTY LINE PRODUCTION UNLESS NOTED OTHERWISE

I, WILLIAM P. WONG, A BRITISH COLUMBIA LAND SURVEYOR, OF THE CITY OF BURBARY, 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 17TH DAY OF FEBRUARY, 2006.

THE PLAN WAS COMPLETED AND CHECKED, AND THE CHECKLIST FILED UNDER #445-9 ON THE 17TH DAY OF FEBRUARY, 2006.

W.P. Wong
B.C.L.S. (#697)

AUTHORIZED SIGNATORY

WITNESS AS TO ABOVE SIGNATORY

OCCUPATION OF WITNESS

ADDRESS OF WITNESS

MATSON PECK & TOPLISS
SURVEYORS & ENGINEERS
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RICHMOND, B.C.

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