



## STAFF REPORT

**Title:** Encroachment Agreement Request EA19-002

**Meeting Date:** August 13, 2019

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### **Executive Summary:**

Request from the owner of 1815 1 Avenue to enter into an encroachment agreement for a structure encroaching on the City's adjacent road right-of-way.

### **Background:**

Administration has received a request from the owner of 1815 1 Avenue (Lot 1, Block 2, Plan 773KS) seeking an encroachment agreement with the city. A recently submitted Real Property Report (attached) indicates that the foundation/wall of the principal building encroaches onto the City's road right-of-way (19 Street); however, the extent of the encroachment is minimal at 0.07metres (2 ¾ inches).

Under the City's Encroachment Policy 104-DA-08, all encroachments that come to the City's attention must be regularized through approval of an encroachment agreement, or, must be removed. Administration has circulated the encroachment request internally and has determined that, given the small extent of the encroachment, there are no concerns with entering into an encroachment agreement in this instance.

Administration recommends that Council pass a motion directing Administration to enter into an encroachment agreement with the owner of Lot 1, Block 2, Plan 773KS for a term of five years with an option to renew for an additional five year term.

### **Alternatives:**

Council may consider the following alternatives:

- 1) Pass a motion directing Administration to enter into an encroachment agreement with the owner of Lot 1, Block 2, Plan 773KS for a term of five years with an option to renew for an additional five year term.
- 2) Defeat a motion directing Administration to enter into an encroachment agreement with the owner of Lot 1, Block 2, Plan 773KS for a term of five years with an option to renew for an additional five year term.
- 3) Accept as information only.



**Recommended Action:**

Administration recommends that Council pass a motion directing Administration to enter into an encroachment agreement with the owner of Lot 1, Block 2, Plan 773KS for a term of five (5) years with an option to renew for an additional five (5) year term.

**Budget Implications (Yes or No):**

No

**Submitted by:**

Kevin Nagoya, Chief Administrative Officer