



City of Port Moody

Report/Recommendation to Council

Date: June 1, 2022
Submitted by: Finance and Technology Department – Corporate Purchasing and Risk Management Division
Subject: Encroachment Agreement for 472 Beatrice Street Lane

Purpose

To obtain approval to execute an Encroachment Agreement between the City and the property owners of 472 Beatrice Street Lane.

Recommended Resolution(s)

THAT the Encroachment Agreement between the City and the property owners at 472 Beatrice Street Lane be executed as recommended in the report dated June 1, 2022, from the Finance and Technology Department – Corporate Purchasing and Risk Management Division regarding Encroachment Agreement 472 Beatrice Street Lane.

Background

The property owners of 472 Beatrice Street Lane, Alicia, and Patrick O'Brien are seeking an Encroachment Agreement for the use of City land adjacent to their property as the previous owners constructed a workshop, a concrete retaining wall, fence and a number of landscape features on City land to the west of their property.

Discussion

Staff have conducted an on-site assessment of the property and have advised the homeowners that the use of a portion of this area for personal use could be formalized through an Encroachment Agreement with the City.

Staff have determined based on an aerial view that shows the workshop, concrete retaining wall, fence and landscape features (**Attachment 1**) on City land that encroachment area is 48m².

Staff have drafted the attached Encroachment Agreement to allow for personal use of the 48m² area.

The annual licence fee would be \$377.70, which is adjusted annually in accordance with the previous year's average assessed value of all RS1 lots between 555m² and 850m², based on the revised roll provided by BC Assessment. An administrative fee of \$660.00 would also be

applied as per Corporate Policy 06-2360-01 – Encroachments to the initial agreement and 50% of the original administrative fee to each renewal. The term of the agreement would be for ten (10) years.

The property owners have reviewed the draft agreement and are satisfied with the terms and conditions.

Other Option(s)

THAT the Encroachment Agreement not be approved.

THAT direction be given for changes to the Encroachment Agreement.

THAT the reported dated June 1, 2022, from the Finance and Technology Department – Corporate Purchasing and Risk Management Division regarding approval to execute an Encroachment Agreement between the City and the property owners of 472 Beatrice Street Lane be sent back to staff for further information.

Financial Implications

The annual fee for the Encroachment Agreement at 472 Beatrice Lane would be \$377.70 which be increased annually. In addition, there would be an administration fee of \$660.00 for the initial agreement and 50% of the original administrative fee for each renewal which would be recognized revenue as revenue by the City.

Communications and Civic Engagement Initiatives

If approved the property owners would be contacted to execute the agreement.

Council Strategic Plan Objectives

Execution of this Encroachment Agreement would align with the Council Strategic Plan Objective of Community Evolution. The agreement would allow for private use of the City's property while still allowing for City access when necessary.

Attachment(s)

1. Aerial view of 472 Beatrice Street Lane
2. Draft Encroachment Agreement for 472 Beatrice Street Lane

Report Author

Jennifer Velthuisen

Manager of Corporate Purchasing and Risk Management

Report Approval Details

Document Title:	Encroachment Agreement for 472 Beatrice Street Lane .docx
Attachments:	- Attachment 1 - Aerial View of 472 Beatrice Street Lane.pdf - Attachment 2 - Draft Encroachment Agreement for 472 Beatrice Street Lane.pdf
Final Approval Date:	Jun 17, 2022

This report and all of its attachments were approved and signed as outlined below:

Stephen Judd, Manager of Infrastructure Engineering Services - Jun 13, 2022 - 1:36 PM

Paul Rockwood, General Manager of Finance and Technology - Jun 13, 2022 - 3:41 PM

Rosemary Lodge, Manager of Communications and Engagement - Jun 15, 2022 - 6:38 PM

Tim Savoie, City Manager - Jun 17, 2022 - 2:14 PM