



ADMINISTRATIVE REPORT

Report Date: March 7, 2016
Contact: Al Zacharias
Contact No.: 604.873.7214
RTS No.: 11259
VanRIMS No.: 08-2000-20
Meeting Date: April 5, 2016

TO: Vancouver City Council

FROM: General Manager of Engineering Services in Consultation with the Director of Real Estate Services

SUBJECT: Closure and Sale of a Portion of Lane Adjacent to 3205 to 3221 West 41st Avenue

RECOMMENDATION

- A. THAT Council close, stop-up and convey to the owner of 3205, 3211, 3219 and 3221 West 41st Avenue (the "Abutting Lands", as described in Appendix "B") that 355.5 square metre portion of lane (the "Lane Portion"), the same as generally shown hatched on the plan attached as Appendix "C", subject to the terms and conditions as noted in Appendix "A".
- B. THAT the sale proceeds of \$1,530,000 be credited to the Property Endowment Fund (PEF).

REPORT SUMMARY

This report seeks Council authority to close, stop-up and convey the Lane Portion to the owner of the Abutting Lands.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

The authority for closing and disposing of streets and lanes is set out in the Vancouver Charter.

It is Council policy and practice that property assets declared surplus to civic needs are transferred to the PEF or are sold with the proceeds credited to the PEF.

At Public Hearing on November 24, 2009, and Regular Council on December 1, 2009, Council approved the rezoning of the Abutting Lands together with the property at 5590 Balaclava Street ([PID: 013-006-797]; Lot A (Reference Plan 10053) Block 12

District Lot 2027 Plan 3269, the "Knox United Church Land"), subject to various By-law enactment conditions, including the closure and sale of the Lane Portion.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The General Manager of Engineering Services and the General Manager of Real Estate and Facilities Management recommend approval of the foregoing.

REPORT

Background/Context

The Lane Portion was dedicated to the City upon registration of Plans 4098 and 7918 in 1912 and 1948, respectively. The Lane Portion has been used only for access and utility purposes in service of the Abutting Lands.

The Abutting Lands owner has applied to purchase the Lane Portion in conjunction with an application to rezone the Abutting Lands and the Knox United Church Land. The rezoning proposal includes construction of a new residential (seniors housing) development, retention and restoration of the heritage church building, and construction of a new fellowship centre. The Lane Portion bisects the rezoning site, and its closure and sale is therefore essential to the project. The closure and sale of the Lane Portion, and the subdivision of the Lane Portion with the Abutting Lands and the Knox United Church Land to create two parcels, have been established as prior-to enactment conditions of the rezoning.

Strategic Analysis

Closure and Sale of the Lane Portion is an important component of the rezoning and is consistent with the corresponding development proposal. The Abutting Lands owner is required to remove and relocate existing utility infrastructure from the Lane Portion.

An Engineering Services review of this matter has concluded that the Lane Portion is surplus and available for sale to the Abutting Lands owner, subject to the conditions as detailed in Appendix A of this report.

The Director of Real Estate Services has negotiated a sale of the Lane Portion for \$1,530,000 plus applicable taxes. A third party appraisal has been undertaken, with a concluded value of \$1,500,000 for the Lane Portion. The Director of Real Estate Services therefore advises that the sale price of \$1,530,000 represents fair market value for the Lane Portion to be conveyed to the Abutting Lands owner. The Abutting Lands owner will be responsible for all costs, plans, documents and Land Title Office fees required to complete the conveyance. The conveyance of the Lane Portion to the Abutting Lands owner will be completed concurrently with the registration at the Land Title Office of all documents and plans required to effect the rezoning.

Implications/Related Issues/Risk (if applicable)

Financial

The General Manager of Real Estate and Facilities Management recommends a purchase price for the Lane Portion of \$1,530,000. The sale proceeds of \$1,530,000 will be credited to the PEF.

CONCLUSION

The General Manager of Engineering Services, in consultation with the Director of Real Estate Services, recommends approval of the recommendations contained in this report.

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TERMS AND CONDITIONS OF CONVEYANCE

1. The Lane Portion to be closed is to be subdivided with the Abutting Lands and the Knox United Church Land to create two parcels as required pursuant to the prior to enactment conditions of the rezoning, as shown on Subdivision Plan EPP51581 (attached as Appendix D), to the satisfaction of the Director of Legal Services and the Approving Officer;
2. The owner of the Abutting Lands to pay \$1,530,000 plus applicable taxes for the Lane Portion, in accordance with the recommendation of the Director of Real Estate Services;
3. Registration of a temporary Statutory Right of Way agreement over the Lane Portion for access and all utility purposes, to be discharged upon abandonment and/or relocation of all existing utilities within the Lane Portion, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services;
4. The Abutting Lands owner to be responsible for all costs to remove two (2) catch basins from the Lane Portion, and to seal the corresponding storm sewer lead (at the easterly limit of the Balaclava Street road allowance), with all work to be performed to the satisfaction of the General Manager of Engineering Services;
5. The Abutting Lands owner to be responsible for all costs to remove existing street lighting and traffic signal facilities (conduit, transformer) from the Lane Portion, and to provide an alternate power source for new facilities associated with this work, all to the satisfaction of the General Manager of Engineering Services;
6. The Abutting Lands owner to be responsible for all costs to remove the existing lane outlet on Balaclava Street and reinstate the curb, sidewalk and boulevard, all to the satisfaction of the General Manager of Engineering Services;
7. Submission of written consents to the proposed lane closure from affected utility companies, and confirmation of arrangements to address associated utility relocations and site servicing requirements;
8. The Abutting Lands owner to be responsible for all necessary plans, documents, and Land Title office fees;
9. The Director of Legal Services or the Director of Real Estate Services, as applicable, to execute all plans, transfers, and documents as required;
10. Any agreements are to be drawn to the satisfaction of the Director of Legal Services;
11. No legal right or obligation shall be created and none shall arise hereafter until the documents are executed by the parties thereto, and fully registered in the Land Title Office.

The Abutting Lands

Address	Parcel Identifier	Legal Description
3205 West 41 st Avenue	003-500-233	Lot 4 Block 12 District Lot 2027 Plan 7918
3211 West 41 st Avenue	010-297-766	Lot 3 Block 12 District Lot 2027 Plan 7918
3219 West 41 st Avenue	007-352-735	Lot 2 Block 12 District Lot 2027 Plan 7918
3221 West 41 st Avenue	010-297-723	Lot 1 Block 12 District Lot 2027 Plan 7918

SUBMISSION PLAN OF:

- 1) LOT A (REFERENCE PLAN 10053), PLAN 3269;**
- 2) LOTS 1 TO 4 INCLUSIVE, ALL OF PLAN 7918;**
- 3) CLOSED LANE INCLUDED IN PLAN EPP51580**
(DEDICATED BY THE DEPOSIT OF PLANS 4098 AND 7918);
- ALL OF BLOCK 12, DISTRICT LOT 2027,**
- GROUP 1, NEW WESTMINSTER DISTRICT**

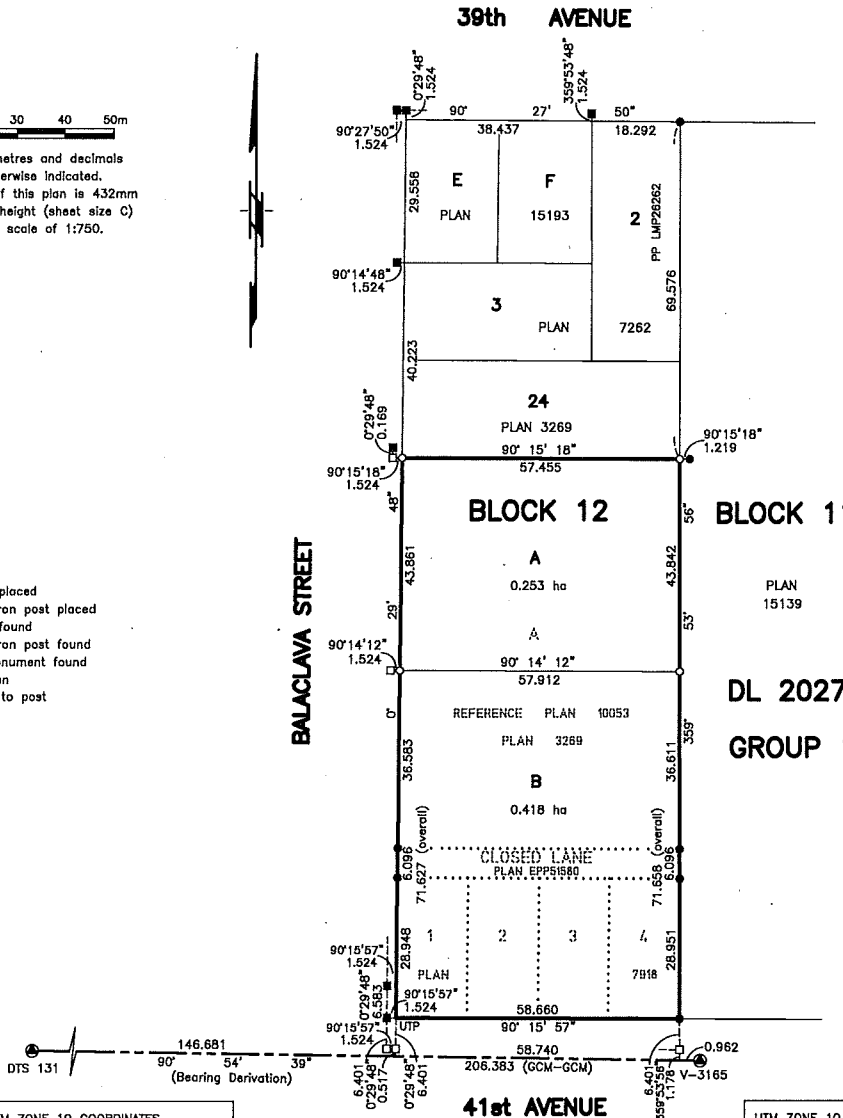
PURSUANT TO SECTION 67, LAND TITLE ACT
BCGS:92G.025



All distances are in metres and decimals thereof unless otherwise indicated. The intended plot size of this plan is 432mm in width by 560mm in height (sheet size C) when plotted at a scale of 1:750.

LEGEND

- lead plug placed
- standard iron post placed
- lead plug found
- standard iron post found
- ⊙ control monument found
- PP posting plan
- UTP unsuitable to post



UTM ZONE 10 COORDINATES
DATUM: NAD83(CSRS)4.0.0.BC.1.GVRD
NORTHING 5453578.209
EASTING 486996.959
POINT COMBINED FACTOR: 0.9995981
ESTIMATED HORIZONTAL POSITIONAL ACCURACY: ±0.01m

UTM ZONE 10 COORDINATES
DATUM: NAD83(CSRS)4.0.0.BC.1.GVRD
NORTHING 5453574.930
EASTING 487203.233
POINT COMBINED FACTOR: 0.9995968
ESTIMATED HORIZONTAL POSITIONAL ACCURACY: ±0.01m

Integrated Survey Area No.31, City of Vancouver.
NAD83(CSRS)4.0.0.BC.1.GVRD.

Grid bearings are derived from observations between geodetic control monuments DTS 131 and V-3165.

The UTM coordinates and estimated horizontal positional accuracy achieved have been derived from the MASCOT published coordinates and standard deviations for geodetic control monuments DTS 131 and V-3165.

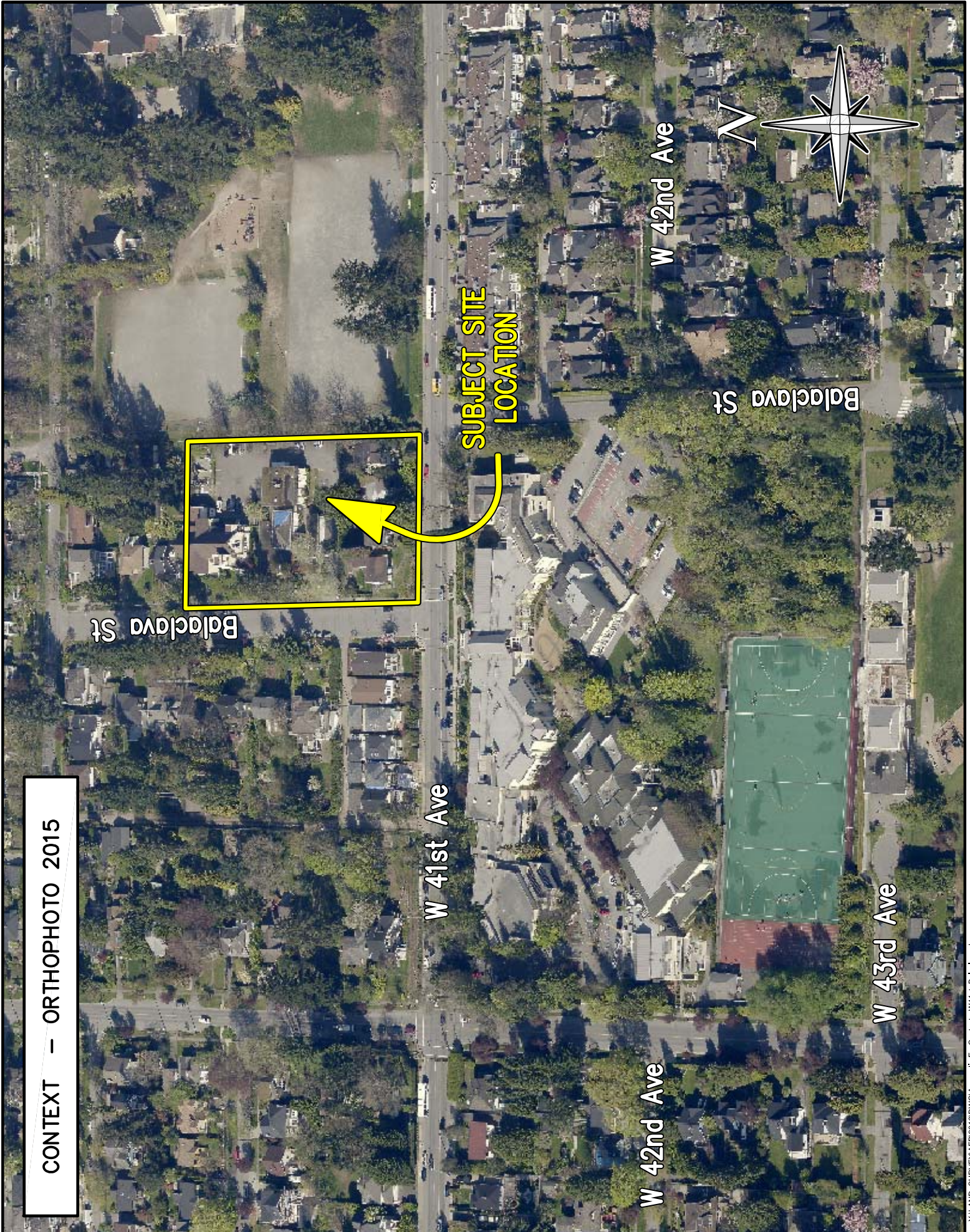
This plan shows horizontal ground-level distances unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.99959745 which has been derived from geodetic control monuments DTS 131 and V-3165.

This plan lies within the jurisdiction of the Approving Officer for the City of Vancouver.

Ken K. Wong and Associates
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Burnaby, B.C. V5B 1R4
Telephone: 604-294-8881
Fax: 604-294-0625
150309 FB921 P78
FB891 P112-116
R-5573 TGA-531 SU-2452
Drawn by:TB

This plan lies within the Greater Vancouver Regional District.

The field survey represented by this plan was completed on the 27th day of November, 2015.
Steven E. Wong, BCLS 942.



CONTEXT — ORTHOPHOTO 2015

SUBJECT SITE
LOCATION

Balclava St

W 41st Ave

W 42nd Ave

W 42nd Ave

Balclava St

W 43rd Ave

