



# CITY OF VANCOUVER

## Administrative Report

Date: June 23, 2005  
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Dept. File No. 294  
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CC File No.: 5753  
Meeting Date: July 12, 2005

**TO:** Vancouver City Council  
**FROM:** General Manager of Engineering Services in consultation with the Director of Real Estate Services  
**SUBJECT:** Closure of a Portion of East 3<sup>rd</sup> Avenue South of 1882 Nanaimo Street

### **RECOMMENDATION**

- A. THAT Council close, stop-up and convey all that portion of road south of Lot 10 Block 6, South ½ of Section 33, Town of Hastings Suburban Lands, Plan 3385, generally as shown hatched on the plan attached hereto as Appendix "A", subject to the following conditions:
1. The abutting owners to pay \$35,000.00 Plus GST if applicable for the 568 square foot (52.8 square metre) portion of road to be closed in accordance with the recommendation of the Director of Real Estate Services;
  2. The subject portion of road to be closed is to be consolidated with the said Lot 10 to form a single parcel to the satisfaction of the Director of Legal Services;
  3. The abutting owners to be responsible for the cost of the removal of the existing portion of sidewalk along East 3<sup>rd</sup> Avenue to the south of said Lot 10 and the construction of a new sidewalk running parallel with the new south property line after consolidation;
  4. The abutting owners to be responsible for the cost of relocating or replacing one tree which is located in the area where the new sidewalk will be constructed;
  5. The abutting owners to enter into a Statutory Right of Way with Terasen Gas over the south west corner of the newly created parcel to protect the existing gas line;
  6. The abutting owners to be responsible for any plans, documents and Land Title Office fees;

7. The sale proceeds to be credited to the Property Endowment Fund (the "PEF");
8. Any agreements are to be to the satisfaction of the Director of Legal Services;
9. No legal right or obligation shall be created and none shall arise hereafter, until the documents are executed by the parties thereto.

If Council approves this report, the Formal Resolution to close this portion of East 3<sup>rd</sup> Avenue 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 seek Council authority to close, stop-up and convey a portion of East 3<sup>rd</sup> Avenue south of 1882 Nanaimo Street.

### **BACKGROUND**

On March 10, 1911, Plan 3385 dedicated East 3<sup>rd</sup> Avenue at this location to its present width. There is no record that any City utilities have ever been installed under or over the subject portion of East 3<sup>rd</sup> Avenue.

### **DISCUSSION**

The owner of said Lot 10 has made an application to purchase the subject portion of road that is excess to our needs for consolidation with said Lot 10.

The subject portion of East 3<sup>rd</sup> Avenue currently contains the sidewalk and a grassed boulevard. The General Manager of Engineering Services has no plans to widen the pavement area of East 3<sup>rd</sup> Avenue at this location and as such can support the re-alignment of East 3<sup>rd</sup> Avenue to a regularized 90 degree intersection.

There is an existing Tarasen Gas line which traverses the south west corner of the portion of road to be conveyed. Terasen Gas has confirmed that they have no objection to the road closure and conveyance subject to the registration of a Statutory Right of Way on the title of the newly created lot. The owner of Lot 10 has agreed to these terms.

The Director of Real Estate Services has negotiated a sale of the 568 square feet (52.8 square metres) of road as shown hatched on Appendix "A" for \$35,000.00 Plus G.S.T. if applicable. In addition to the sale price the applicant will be responsible for the cost of relocating the existing sidewalk parallel to the south property line of said Lot 10 after consolidation with the portion of road. This is estimated at approximately \$9,550.00 which includes the relocation of one tree.

The Director of Real Estate Services advises that the sale price of \$35,000.00 represents fair market value for the 568 square feet (52.8 square metres) of road to be conveyed. The applicants will be responsible for all costs, plans, documents and Land Title Office fees required to complete the conveyance.

**CONCLUSION**

The General Manager of Engineering Services in consultation with the Director of Real Estate Services **RECOMMENDS** approval of the foregoing.

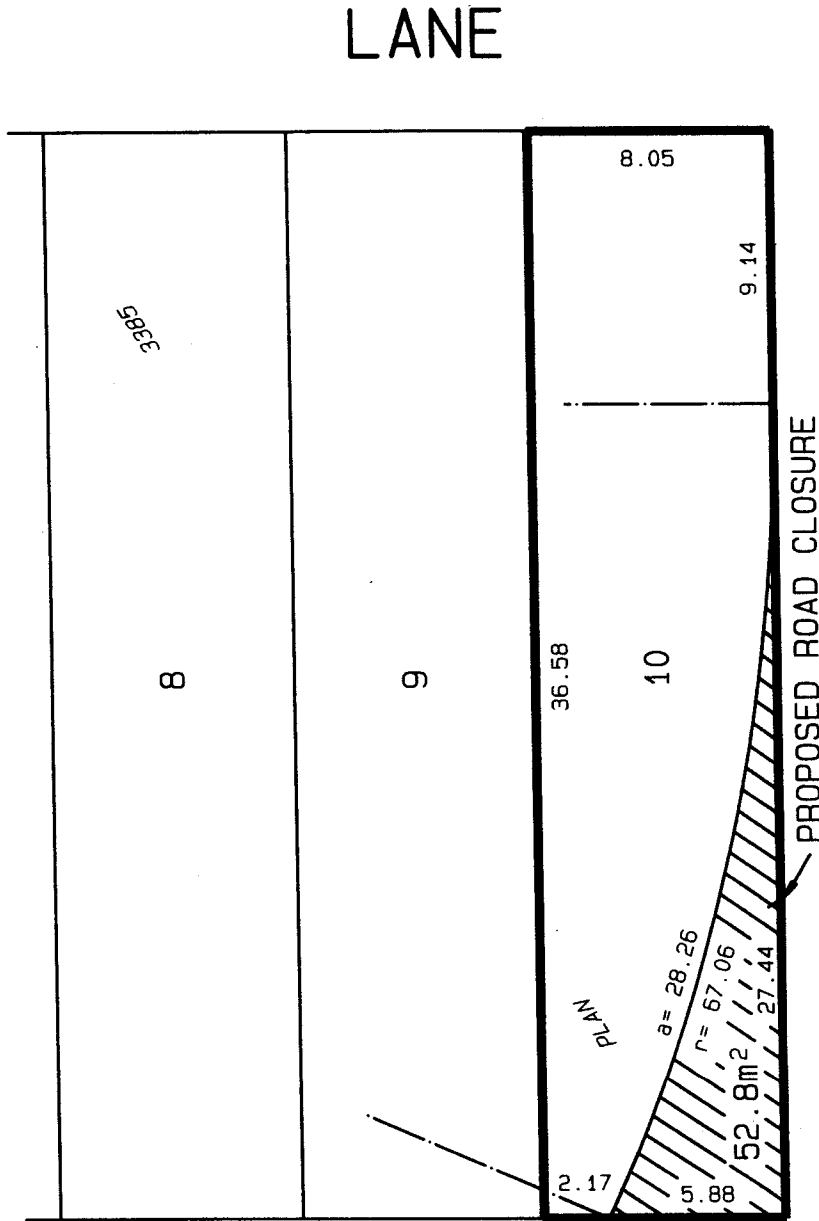
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PLAN SHOWING PROPOSED CONSOLIDATION OF LOT 10 AND PORTION OF ADJACENT ROAD, ALL OF BLOCK 6, SOUTH 1/2 OF SECTION 33, TOWN OF HASTINGS SUBURBAN LANDS, PLAN 3385.

SCALE: 1: 250



NANAIMO STREET



LANE

E. 3RD AVENUE

DIMENSIONS ARE DERIVED FROM PLAN 3385

ENGINEERING SERVICES  
MAY 20, 2005