



# CITY OF VANCOUVER

## Administrative Report

Date: October 4, 2005  
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CC File No.: 8104/5753  
Meeting Date: October 18, 2005

TO: Vancouver City Council

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

SUBJECT: Woodward's Project  
Lane Closure and Site Creation

### RECOMMENDATION

- A. THAT Council close, stop-up and convey to the developer of the Woodward's project (the "Developer") for the creation of an enlarged site for the Woodward's project, firstly; all that portion of the lane easterly of Cambie Street, between Cordova Street and the lane southerly of Cordova Street (305.8 square metres); and secondly; all that portion of the lane southerly of Cordova Street, easterly from Cambie Street (178.4 square metres), both the same as shown hatched on the plan attached as Appendix "A", subject to the following conditions:
1. The closed lanes to be subdivided with the abutting lands as shown within the heavy outline on the plan attached as Appendix "A" to create a single parcel, such subdivision plan dedicating as lane the approximate 449.7 square metre portions of the East ½ of Lot 7 and the West 33 feet of Lot 6 shown cross-hatched and labelled, "Proposed Lane" on the plan attached as Appendix "A" to the satisfaction of the Director of Legal Services and the Approving Officer;
  2. The closed lanes (approximately 484.2 square metres total) to be exchanged for the new dedicated lane outlet (approximately 449.7 square metres) on an equivalent "land value for land value" basis;
  3. The Developer to be responsible for all plans and documents and for the construction of the new lane outlet to the satisfaction of the General Manager of Engineering Services;

4. The Developer to be responsible for the relocation of all City and other utilities, including street lighting, as required by the proposal, other than the City sewer in the lane to be closed, and to obtain the written confirmation from each of B.C. Hydro, Telus, Terasen Gas, Shaw Cable and Teraspan that they have no objections to the exchange and that all arrangements have been made as necessary to relocate existing plant or construct new plant as required by each; all to the satisfaction of the General Manager of Engineering Services, the Director of Legal Services and the Approving Officer;
  5. The Developer to be responsible for all costs associated with the redesign and reconstruction of drainage in the existing lane to remain as a result of the Project;
- B. THAT the Director of Legal Services be authorized to enter into any interim rights-of-way, in favour of the City, or other agreements required to allow the relocation of existing utilities in advance of completion of the exchange.
  - C. THAT once the form of all legal documentation and plans has been approved by the General Manager of Engineering Services and the Director of Legal Services, that the Director of Legal Services be authorized to execute and deliver such documentation and plans on behalf of the City.
  - D. THAT no legal rights shall arise and no consents, or permissions are granted hereby and none shall arise or be granted hereafter, unless and until all contemplated legal documentation has been executed, delivered by all parties, and registered in the Land Title Office where applicable.

#### **COUNCIL POLICY**

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

On September 13, 2005 Council approved the Recommendations in a report from the Woodward's Steering Committee, including:

- "C. THAT Council approve in principle the concept that any exchange of existing City-lane in the Woodward's block be for a new lane outlet of similar size and utility; THAT the land value attributable to any portion of City-lane to be closed and consolidated into the development site be deemed as an equivalent "land value for land value" transaction; all subject to a report back from the General Manager of Engineering Services on the terms and conditions of any closing, stopping-up and conveyance of portions of the City lane;"

## PURPOSE

The purpose of this report is to achieve Council authority to complete an exchange of portions of existing City lane in the Woodward's block for a new dedicated lane outlet to Cordova Street.

## BACKGROUND

On September 29, 2004, Council selected Westbank Projects Corp. / The Peterson Investment Group Inc. to be the developer (the "Developer") for the Woodward's site (the "Project"), to carry out the Project substantially in accordance with its RFP Proposal (the "Proposal") as further evolved through the normal development review and approval process.

The Woodward's site owned by the City consists of a single parcel, Lot E, Block 4, Old Granville Townsite, New Westminster District, Plan LMP 40092 ("Lot E"). Lot E was created in 1998 by consolidating 12 lots that formed the lands upon which the Woodward's building had been built. In 1998 a small portion of redundant City lane was closed and consolidated into the Woodward's site, and the existing north-south City lane was dedicated on Plan LMP 40092.

The Developer has now placed 3 adjoining parcels to the Woodward's site on the Hastings Street frontage and 3 adjacent parcels on the Cordova Street frontage (the "Holborn Lands") under conditional contract. Including these 6 lots in the Project footprint creates a number of exciting options that improve the design development of the public open spaces and create a more optimal site configuration and use.

These improvements were described in some detail in a report from the Woodward's Steering Committee dated September 6, 2005 and whose Recommendations were approved at Council on September 13, 2005.

The new Project footprint utilizes two portions of existing City lane. A 305.8 square metre portion of the (north-south) lane easterly of Cambie Street between Cordova Street and the lane southerly of Cordova Street, dedicated by the deposit, in the Land Title Office of Plan LMP 40092 on November 12, 1998 and a 178.4 square metre portion of the (east-west) lane southerly of Cordova Street, easterly from Cambie Street as dedicated by the deposit, in the Land Title Office, of Plan 168 on November 28, 1885.

The Developer has proposed to exchange these two portions of lane (approximately 484.2 square metre total) for a new 11.00 metre wide lane (449.7 square metre) north-south lane outlet easterly of Cambie Street between Cordova Street and the lane southerly of Cordova Street.

The lanes to be closed are as shown hatched, and the new lane outlet is as shown cross-hatched on the plan attached as Appendix "A".

The September 13, 2005 Council approval of the Woodward's Steering Committee's Recommendations for the Project included approval of Recommendation C, as follows:

- "C. THAT Council approve in principle the concept that any exchange of existing City-lane in the Woodward's block be for a new lane outlet of similar size and utility; THAT the land value attributable to any portion of City-lane to be closed and consolidated into the development site be

deemed as an equivalent “land value for land value” transaction; all subject to a report back from the General Manager of Engineering Services on the terms and conditions of any closing, stopping-up and conveyance of portions of the City lane;”

This is the report back.

## **DISCUSSION**

The General Manager of Engineering of Services has received a request from the Developer and has completed a review of the proposed lane closure, including making a determination that no owner of land abutting the lane to be closed will be deprived of the means of ingress or egress from such property.

The General Manager of Engineering Services has determined that the two subject portions of lane can be closed subject to a number of conditions. These include a requirement for a new lane outlet to Cordova Street, the same as shown cross-hatched on the plan attached as Appendix” A”.

The lane to be closed is to be exchanged at an equivalent land value for land value such that no purchase money changes hands for the closures or dedication, all in accordance with Council’s September 13, 2005 direction.

The critical issues to facilitate the exchange are the relocation of utilities in the lane, including a City sewer that runs through the Woodward’s building and other public utilities in the lane.

On September 13, 2005, Council approved Consideration I, as follows:

“THAT Council authorize the General Manager of Engineering Services to undertake the City’s responsibility as the current property owner, to complete the off-site relocation of the City’s sewer main onto Cordova Street and infilling of required tunnel works to be paid from Sewer Capital Budget with a report back to Council authorizing a defined scope of work and final cost;”

Thus the General Manager of Engineering Services will address the relocation issues related to the City sewer. The Developer will be responsible for relocation of all other utilities including City street lighting and BC Hydro, Telus, Terasen Gas and Teraspan plant as required to enable the lane closure and new lane outlet. This will occur to the satisfaction of the General Manager of Engineering Services, the Director of Legal Services and through the subdivision plan, (to be approved by), the Approving Officer. The Developer will be required to construct the new north-south lane outlet. There are also issues related to redesign and reconstruction of drainage in the existing lane to remain, which issues will be dealt with by the Developer at its cost.

If there are utility / infrastructure costs associated with the altered access to the legal parcels to the west of the Project site, the Developer will be required to pay the same.

The Developer will also be responsible to obtain written confirmation from the public utility companies, affected by the lane closure that their issues have been addressed and arrangements have been made to relocate existing plant or reconstruct new plant as necessary.

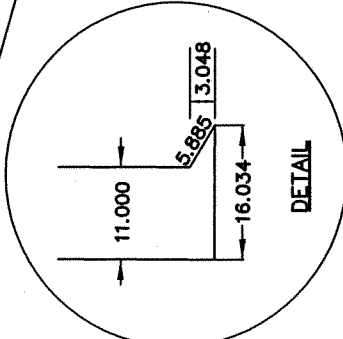
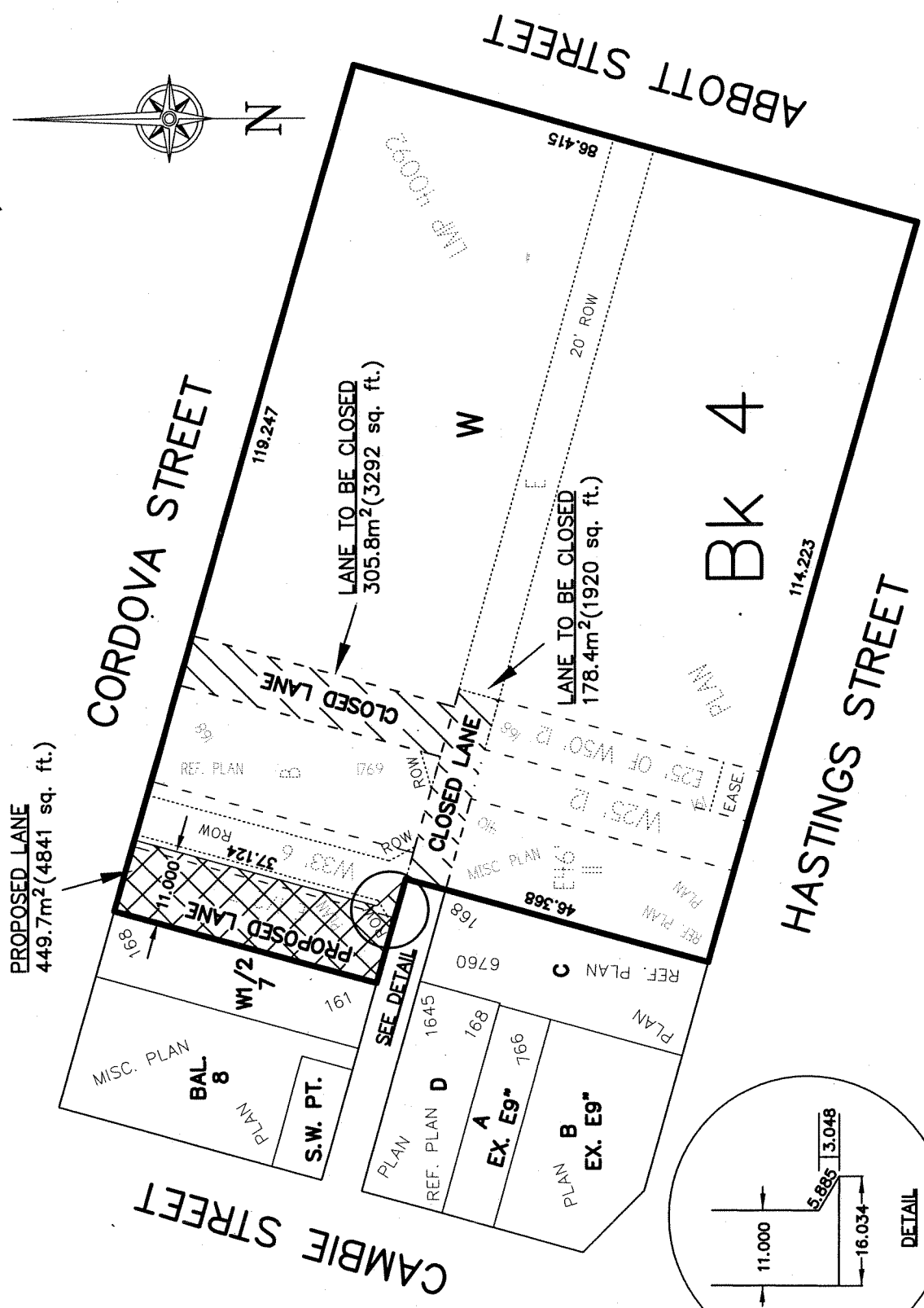
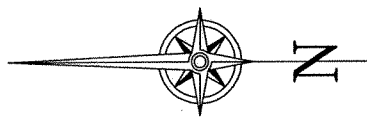
It is noted that there is a desire to start utility relocation in the very near future. This could be before the lane exchange completes. Recommendation B authorizes the Director of Legal Services to enter into rights-of-way over the private lands prior to the same being dedicated as lane, required to construct and secure the utility corridor in advance of such dedication.

### **CONCLUSION**

The General Manager of Engineering Services in consultation with the Manager of Real Estate Services and the Director of Legal Services recommends approval of Recommendations A to D inclusive. Approval of the Recommendations will allow the creation of a single site to move forward further enabling the Project as currently envisioned.

\* \* \* \* \*

APPENDIX A



ALL DISTANCES ARE IN METERS  
DMK, MAP P-8

ENGINEERING SERVICES  
SEPTEMBER 19, 2005