



CITY OF VANCOUVER

A5

Administrative Report

Date: November 29, 2005
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CC File No.: 5753
Meeting Date: December 13, 2005

TO: Vancouver City Council

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

SUBJECT: 2950 Celtic Avenue - Land Exchange
Closure and Conveyance of a Portion of McCleery Street Southerly of Celtic Avenue

RECOMMENDATION

- A. THAT Council close, stop-up and convey to the Owner of adjacent [PID: 007-135-653] Lot D Block 8 District Lots 194 and 315 Plan 11178 ("Lot D"), the westerly 34 feet of McCleery Street lying southerly of Celtic Avenue being a portion of [PID: 009-324-526] Lot 2 Block 8 District Lot 315 Plan 10645 established as road by document filed 94439 deposited in the Land Title Office on the 29th day of October 1962 (the "Closed Road"), as shown hatched on the sketch attached as Appendix "A" subject to the following conditions:
1. The Closed Road to be exchanged for the westerly 33 feet of Lot D, as shown within bold outline on Appendix "A" and identified as the "Carnarvon Connector" on the sketch attached as Appendix "B" (the "Carnarvon Connector"), on an equivalent "land value for land value" basis and the Owner to dedicate the Carnarvon Connector as road;
 2. The Owner to subdivide (consolidate) the Closed Road with Lot D and additional lands to the west of Lot D owned by the Owner (collectively the "Celtic Shipyard Lands"), as generally shown within the heavy outline on the sketch attached as Appendix "B", to the satisfaction of the Director of Legal Services and the Approving Officer;

3. In partial consideration for the exchange, the Owner to:
 - (a) relocate the fence currently located within the McCleery Street road allowance to the new property line;
 - (b) remove the existing buildings, including all foundations, located on the Carnarvon Connector;
 - (c) be responsible for all arrangements to complete the construction of the Carnarvon Connector, as required by the rezoning conditions for the rezoning of the Celtic Shipyard Lands, to the satisfaction of the General Manager of Engineering Services; and
 - (d) be responsible for all plans, documents and Land Title Office fees for the land exchange;
 4. The conveyances to be completed concurrently, with neither conveyance completing independently of the other; and
 5. No legal right or obligation shall be created and none shall arise hereafter until the documents are executed by the parties thereto.
- B. THAT the Director of Legal Services be authorized to execute all plans, transfers and documents as required for the land exchange.

COUNCIL POLICY

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

On July 19, 2005 City Council approved in principal the application to rezone the Celtic Shipyard Lands from RA-1 to CD-1. The Rezoning was subsequently enacted on November 23, 2005. The requirement for this road exchange is established in the Rezoning Bylaw.

PURPOSE

The purpose of this report is to obtain Council authority to close, stop-up, and convey a portion of surplus road (the westerly 34 feet of McCleery Street) in exchange for a new dedicated walkway (the Carnarvon Connector).

BACKGROUND

This portion of McCleery Street (the Closed Road) is located on the Fraser River, south of Celtic Avenue and directly west of the McCleery Golf Course. Lands west of the Closed Road were used as a shipyard from 1948-1994.

McCleery Street was established as road by Resolution of City Council on October 6, 1962. The Resolution was subsequently filed in the Land Title Office as DF94439 on the 29th day of October, 1962.

The General Manager of Engineering of Services (the "GMES") received a request from Progressive Construction Ltd. acting on behalf of the owner of the Celtic Shipyard Lands seeking support for a road exchange of the 34 foot wide portion of McCleery Street (the Closed Road) for a 33 foot wide dedication of a portion of Lot D (the Carnarvon Connector).

On July 19, 2005 Council approved in principal the application to rezone the Celtic Shipyard Lands from RA-1 Limited Agriculture to CD-1 Comprehensive Development District to re-configure the site's one large and 11 small parcels to 12 parcels of approximately equal size and allow them to be developed with 12 single-family dwellings and stables. The Rezoning Bylaw was subsequently enacted on November 23, 2005. As a condition of the rezoning the Owner entered into a Section 219 Covenant to ensure the completion of the following:

- Acquisition of the 34 foot wide portion of McCleery Street (the Closed Road) from the City;
- Deposit a Subdivision Plan in Land Title Office which Subdivision Plan must include:
 1. the Closed Road
 2. the dedication as road of the Carnarvon Connector; and
 3. the dedication as road of the Waterfront Walkway;
- Enter into a Services and Shoreline Works Agreement to provide for the construction of shoreline protection works and all walkway improvements on the Carnarvon Connector and the Waterfront Walkway and other areas not directly related to this land exchange;
- Other conditions identified in the Section 219 Covenant that are not directly related to this land exchange.

DISCUSSION

McCleery Street at this location is currently 100 feet wide and the GMES has determined it is feasible to reduce the width to the standard road width of 66 feet in exchange for a connection to the Waterfront Walkway on the southerly production of Carnarvon Street. The Carnarvon Connector will provide for access to the Waterfront Walkway. The remaining 66 foot width of McCleery Street is sufficient to maintain and improve the existing Greenway access to the Fraser River. The GMES supports the closing up and conveyance of the Closed Road subject to the condition that the owner of the Celtic Shipyard Lands:

1. dedicate as road the Carnarvon Connector to provide pedestrian access to the water;
2. remove the existing buildings including all foundations located on the Carnarvon Connector;
3. relocate the fence currently located within the McCleery Street allowance to the new property line;
4. be responsible for all necessary plans, documents and Land Title Office fees for the land exchange;

The Closed Road has an area of approximately 9095 square feet (845 square metres), the Carnarvon Connector to be dedicated as road is approximately 9558 square feet (888 square metres).

FINANCIAL IMPLICATIONS

The Director of Real Estate Services supports an equivalent land value for land value exchange such that no purchase money changes hands for the closures or dedications. This exchange forms part of a negotiated amenity package which results in significant benefits to the City.

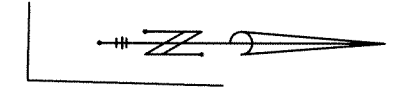
CONCLUSION

The General Manager of Engineering Services in consultation with the Director of Real Estate Services and the Director of Legal Services recommends approval of Recommendations A and B. Approval of the Recommendations is complimentary to the rezoning and will allow for the re-configuration of the Celtic Shipyard Lands into single family dwellings consistent with the surrounding Southlands neighbourhood context. Public access to the waterfront will be secured.

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PLAN SHOWING THE WESTERLY 33 FEET OF LOT D
DISTRICT LOTS 194 AND 315 PLAN 11178,
AND THE WESTERLY 34 FEET OF LOT 2 DISTRICT LOT 315 PLAN 10645,
BOTH OF BLOCK 8 GROUP ONE NEW WESTMINSTER DISTRICT

SCALE 1:1000



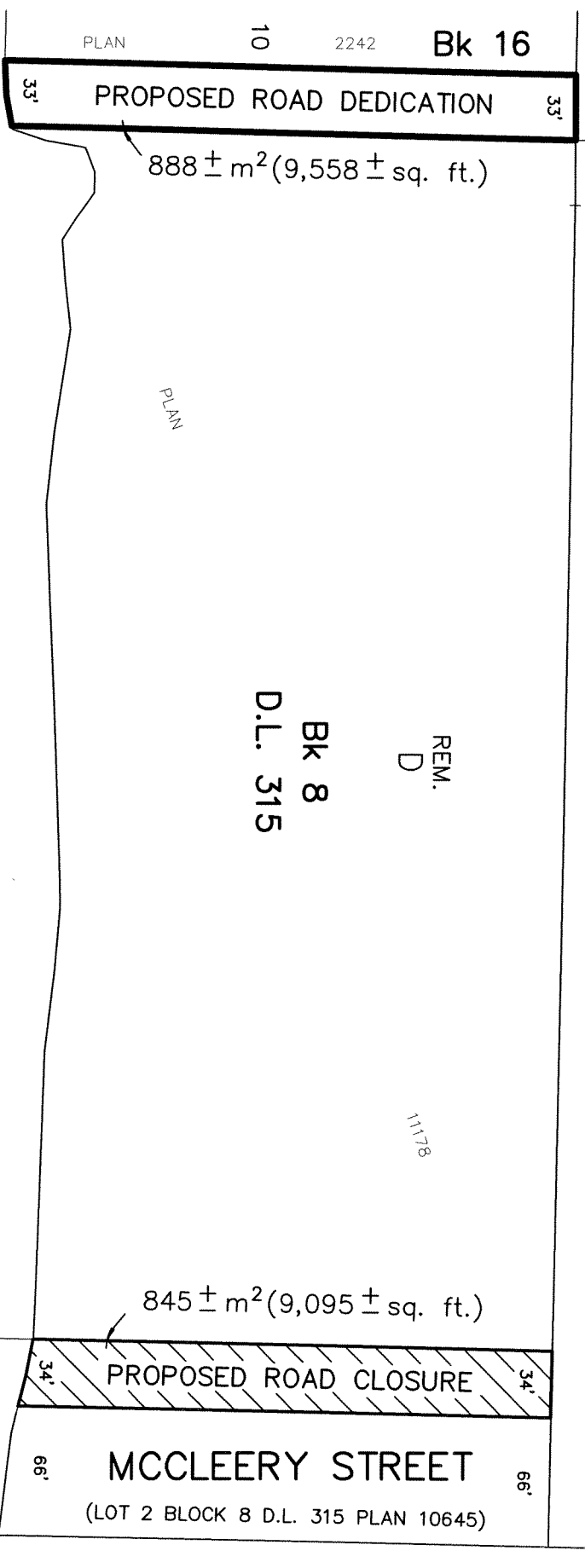
CARNARVON STREET

D.L. 194
D.L. 315

(MCCLEERY GOLF COURSE)

F
PLAN 19490

CELTIC AVENUE



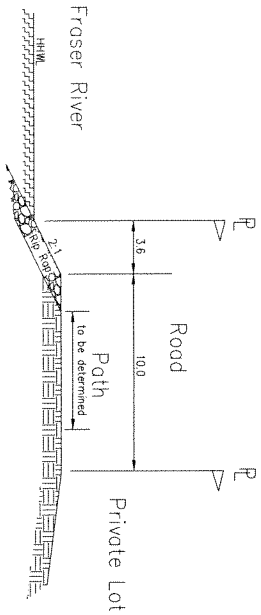
D.L. 7927

Celtic Shipyards

Proposed Subdivision



All Dimensions In Meters



X-Section Looking West

