



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: May 1, 2007
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VanRIMS No.: 13-2000-13
Meeting Date: May 17, 2007

TO: Standing Committee on Planning and Environment

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

SUBJECT: 2995 Wall Street - Closure and Sale of a Portion of Wall Street, East of Renfrew Street

RECOMMENDATION

THAT Council close, stop-up and convey to the abutting owner the 876 m² portion of road adjacent to 2995 Wall Street (legally described as [PID: 009-091-807]; Lot 4 Block U District Lot 1216 Town of Hastings Plan 21509), as shown outlined in bold on the plan attached hereto as Appendix "A", with the owner to pay \$556,311.00 plus GST if applicable in accordance with the recommendation of the Director of Real Estate Services, subject to the terms and conditions as noted in Appendix "B", and that the sale proceeds be credited to the Property Endowment Fund (PEF).

COUNCIL POLICY

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

It is Council policy that civic property deemed surplus to the City's needs be transferred to the PEF, with a recommendation on any consequential sale being brought forward by the Director of Real Estate Services.

PURPOSE

The purpose of this report is to seek Council authority to close, stop-up and convey a 876 m² portion of Wall Street, east of Renfrew Street, for consolidation with the adjacent Lot 4.

BACKGROUND

The prospective developer and purchaser of the southerly portion of Lot 4 (shown hatched on the plan attached as Appendix "A") has made application to purchase the 876 m² portion of Wall Street adjacent to the southerly portion of Lot 4. As Lot 4 is a "hooked" parcel, divided into north and south components by the Canadian Pacific Railway (CPR) tracks, the developer has also made application, on behalf of the owner of Lot 4, to subdivide Lot 4 into two new parcels (i.e., "unhook" Lot 4). If Council approves the recommendation of this report, the current owner of Lot 4 will purchase the 876 m² road portion and convey it together with the southerly portion of Lot 4 to the developer. As such, for both the private and City sale processes to proceed, the subdivision of Lot 4 must be completed, and the consolidation of the road portion with the southerly portion of Lot 4 must also occur.

The present configuration of Wall Street adjacent to Lot 4 has evolved through the registration of several subdivision plans since the original survey of the historic Town of Hastings (Plan 100), circa 1886. Notably, the 90 foot width of Wall Street, between Yale Street and the lane south of Yale Street, was created by the registration of Plan 9556 in 1956, and the configuration and width of Wall Street north of the southerly limit of Yale Street to the intersection with Renfrew Street was created by the registration of Plans 14837 and 21509 in 1973 and 1987, respectively.

The 876 m² portion of Wall Street is presently a combination of grassed boulevard and bush, some of which is in use as a portion of the driveway providing access to the existing development on the southerly portion of Lot 4. After completing a detailed review, the General Manager of Engineering Services has concluded that the 876 m² portion of Wall Street is surplus to the City's needs, and a standard 66 foot wide road allowance at this location is sufficient to accommodate all street uses.

DISCUSSION

As detailed in Development Application No. DE409890, the developer has proposed to develop the site (including the 876 m² portion of Wall Street) with two, four storey multiple dwelling buildings containing a total of 52 units, over two levels of underground parking. On April 24, 2006, the Development Permit Board considered the application and concluded that DE409890, "should be deferred and sent back for further review, in consultation with the community, to achieve a lower-scale, multiple family scheme with less units.....with a noise attenuation strategy that minimizes impacts on the residents". The Board further indicated that the proposed road closure and sale should be considered by Council before the development application is reported back to the Development Permit Board.

Further to the above-noted Development Permit Board decision, Planning and Development Services staff initiated a "co-design" process with interested neighbours, adjacent land owners, the developer and their architect, to collegially explore alternative development forms to that presented to the Development Permit Board, towards design solutions that were to achieve better neighbourhood compatibility/fit, scale and character. After five design sessions, better solutions were identified with respect to the overall development form with four, 2-3 storey row house buildings in place of the original two, 4 storey apartment buildings, and with the relocation of parking access to the west end of the site to reduce traffic impacts and eliminate glare from headlights, noting that these revisions are possible regardless of

Council's decision on the subject road sale. The neighbourhood has collectively acknowledged these improvements, most specifically the form of development, while remaining concerned with any development proposal for this site, and a stated preference for the site to become park space.

The co-design process also identified related interests which are shared by a majority of residents. In particular, the strong preference for any proceeds of a road sale, if approved, to remain "in the neighbourhood", and be earmarked for specific public amenities, such as a land bridge to the north. Staff agreed to acknowledge this preference for Council, noting that no work has been done to properly assess appropriate public benefits, related technical or land ownership challenges, and associated costs should Council wish to support the concept that the road value be applied in this manner. Neighbours are also aware, should the road sale not proceed, of the future challenges of integration of the 876 m² road portion into either the public or private realm after the redevelopment of the site has occurred. Varying opinion was expressed on the road sale depending on resident location and coincident differences in visual and land use impacts should the development proceed with or without the road portion.

The decision by the General Manager of Engineering Services to support the road closure is not linked to a successful development application, but is simply an acknowledgement that the 876 m² portion of Wall Street is surplus to the City's needs. As such, the report recommends the sale proceeds be credited to the PEF as per Council policy.

Engineering Services' review of the request to close, stop-up and convey the road portion for consolidation with the southerly portion of Lot 4 has identified a number of concerns, which are to be resolved upon completion of certain terms and conditions of the proposed road closure and sale, as listed under items 2 through 6 in Appendix "B". Notably, the owner is to be responsible for all street reconstruction costs (estimated to be \$250,000), including pavement removal and replacement, curb installations, sidewalk repairs including wheelchair ramps at all corners, installation of a new street crossing at Renfrew Street with bollards, catch basin installations and street light relocations. The owner is also to be responsible for all costs associated with the removal or relocation of existing utilities within the 876 m² road portion, and is to submit correspondence from all affected utility companies confirming that satisfactory arrangements have been made. In addition, the City is to take back a "temporary" statutory right of way over the 876 m² road portion, to be released when all public utility work and relocations are completed. Furthermore, the City will also acquire a 4.5 metre wide statutory right of way over the consolidated development parcel (the road portion and the southerly portion of Lot 4) for the provision of water servicing to the remaining portion of Lot 4, lying north of the CPR tracks.

The Director of Real Estate Services has negotiated the sale of the 876 m² portion of road for \$556,311.00 plus GST if applicable, and advises that this sale price represents fair market value for the 876 m² portion of road to be conveyed. The owner will be responsible for all costs, plans, documents and Land Title Office fees required to complete the conveyance. All rights of way are to be registered concurrently with the subdivision plan and reference plan of consolidation. As noted above, the owner will also be responsible for all costs to pave and construct Wall Street in accordance with its ultimate configuration.

FINANCIAL IMPLICATIONS

There are no financial implications; as per the Recommendation of the report, the sale proceeds are to be credited to the PEF.

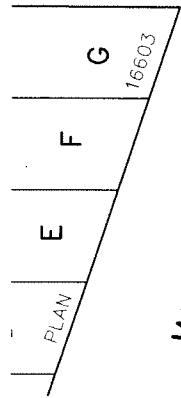
CONCLUSION

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

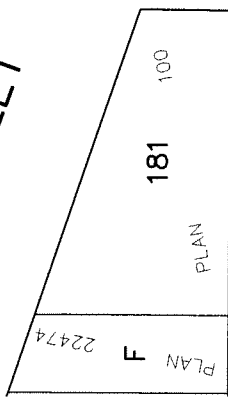
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**PLAN SHOWING PROPOSED ROAD CLOSURE
ADJACENT TO LOT 4, BLOCK U,
DISTRICT LOT 1216, TOWN OF HASTINGS, PLAN 21509**

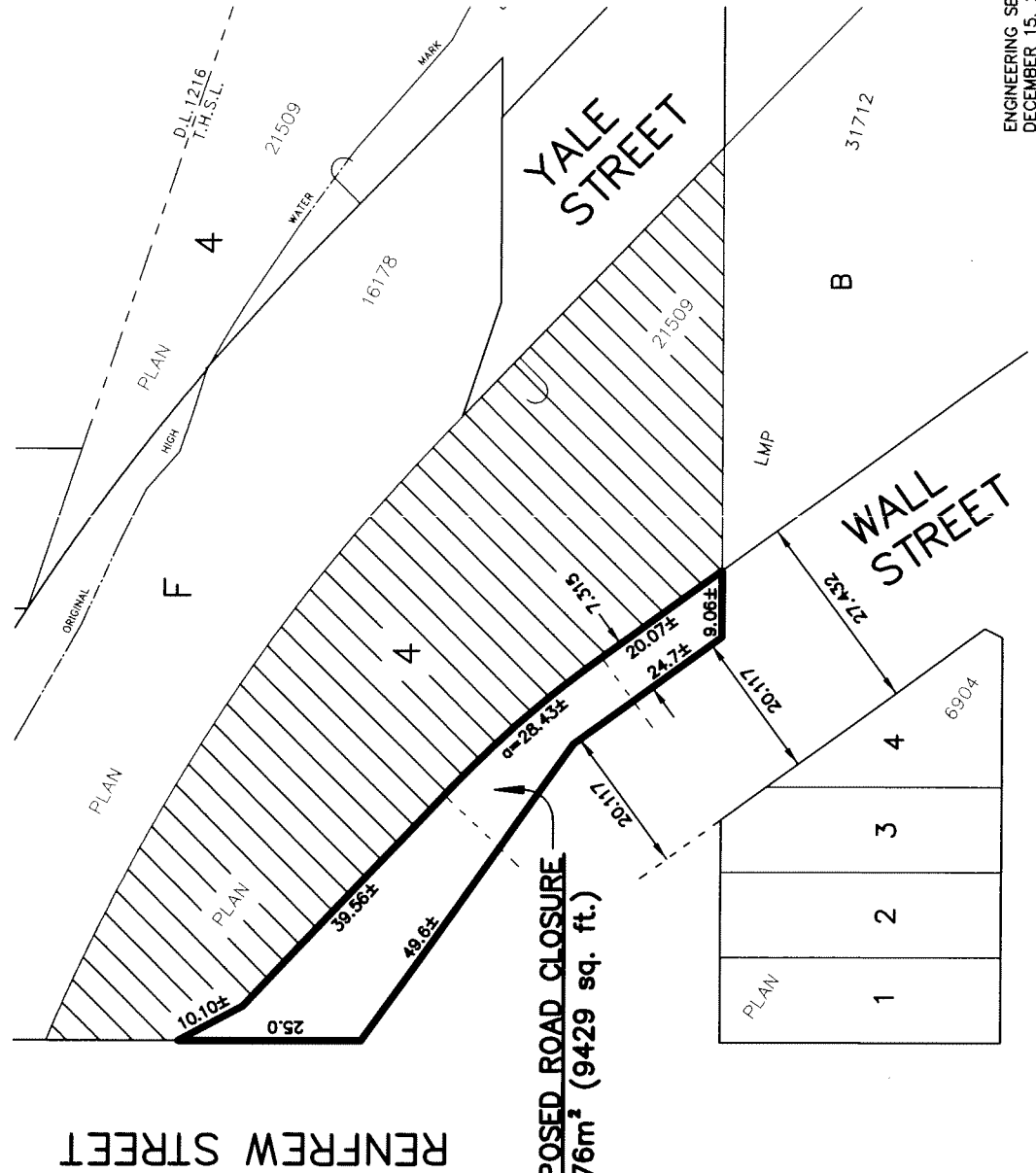
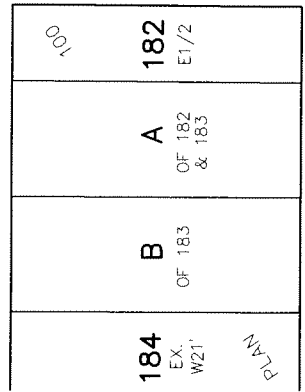
SCALE 1:1000



WALL STREET



WALL STREET



1. The 876 m² portion of road to be closed is to be consolidated with the southerly portion of Lot 4 to form a single parcel, the same as generally shown within the heavy outline and hatched on the plan attached as Appendix "A", to the satisfaction of the Director of Legal Services. As such, the proposed subdivision of Lot 4 must be completed and registered in the Land Title Office prior to or together with the plan of consolidation;
2. The abutting owner to pay the City full construction costs for pavement removal and replacement, curb installation, sidewalk repairs including wheelchair ramps at all corners, and installation of a new street crossing at Renfrew Street with bollard(s). The estimated cost for this work is \$250,000 and includes all street work, two catch basin installations and street light relocations;
3. The abutting owner to be responsible for the cost of removal of the abandoned water main within the 876 m² road portion, and the cost to cut and cap the corresponding City water main at the westerly limit of the closed road portion. The owner to also be responsible for the costs to relocate existing overhead utilities on a utility pole line along the existing property line of Lot 4 to the remaining Wall Street road allowance. Letters are to be submitted, from all affected utility companies, to the satisfaction of the General Manager of Engineering Services, confirming that satisfactory arrangements have been made;
4. The City to take back a "temporary" statutory right of way over the 876 m² road portion, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, to be released when all public utility work/relocations are completed;
5. The City to acquire a 4.5 metre wide statutory right of way over the consolidated development parcel (the 876 m² road portion and the southerly portion of Lot 4), to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, for the provision of water servicing to the proposed northerly parcel (that portion of Lot 4 lying north of the CPR tracks);
6. The abutting owner to make suitable arrangements with Terasen Gas to either relocate an existing gas main in close proximity to the 876 m² road portion, or obtain and submit a letter from Terasen Gas, in a form acceptable to the General Manager of Engineering Services, indicating that the gas main is clear of the area considered and that Terasen has no objections to the road closure;
7. The abutting owner to be responsible for all necessary plans, documents and Land Title Office fees;
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, and fully registered in the Land Title Office.