



CITY OF VANCOUVER

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ADMINISTRATIVE REPORT

Report Date: June 19, 2008
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VanRIMS No.: 08-2000-20
Meeting Date: July 8, 2008

TO: Vancouver City Council

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

SUBJECT: Closure and Sale of a Portion of Lane East of Waterloo Street, Adjacent to 1904 Waterloo Street

RECOMMENDATION

THAT Council close, stop-up and convey the 8 foot wide portion of lane adjacent to 1904 Waterloo Street (legally described as [PID: 010-795-871] Lot A of Lot 1 Block 24 District Lot 540 Plan 5011 (hereinafter, "Lot A")), the same as generally shown hatched on the plan attached as Appendix "A", subject to the terms and conditions as noted in Appendix "B".

If Council approves this report, the Formal Resolution to close the subject portion of lane adjacent to Lot A 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 an 8 foot wide portion of lane east of Waterloo Street, south from West 3rd Avenue.

BACKGROUND

The owner of Lot A at 1904 Waterloo Street has made application to purchase the 8 foot wide portion of lane adjacent to Lot A.

The 8 foot wide lane adjacent to Lot A, shown as "Right of Way" on Plan 5011, was effectively dedicated to the City for lane purposes upon registration of Plan 5011 in December, 1920.

The lane portion presently functions primarily as a surface parking area for the existing home on Lot A. Under the provisions of Easement and Indemnity Agreement K43357, registered on the title of Lot A on July 13, 1982, the owner of Lot A has been granted permission to encroach partially onto the lane portion with a carport/deck structure.

DISCUSSION

The 8 foot wide lane portion is not required for civic purposes, and has been occupied and used exclusively by the owner of Lot A for many years. The existing sewer connection for the adjacent dwelling at 1918 Waterloo Street (Lot B of Lot 1, Plan 5011) runs through the lane proposed to be closed to a connection point with the City's sewer on 3rd Avenue. To ensure the continued access to the sewer connection for maintenance/construction purposes, the owner of Lot A will be required to grant the City a Statutory Right of Way, as noted under Condition No. 3 in Appendix "B".

The Director of Real Estate Services has negotiated a sale of the 480 square foot portion of lane for \$60,000 plus GST if applicable. The Director of Real Estate Services advises that the sale price of \$60,000 represents fair market value for the portion of lane to be conveyed. The owner of Lot A will be responsible for all costs, plans, documents and Land Title Office fees required to complete the conveyance. The purchase price will be credited to the Property Endowment Fund.

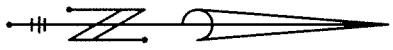
FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

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

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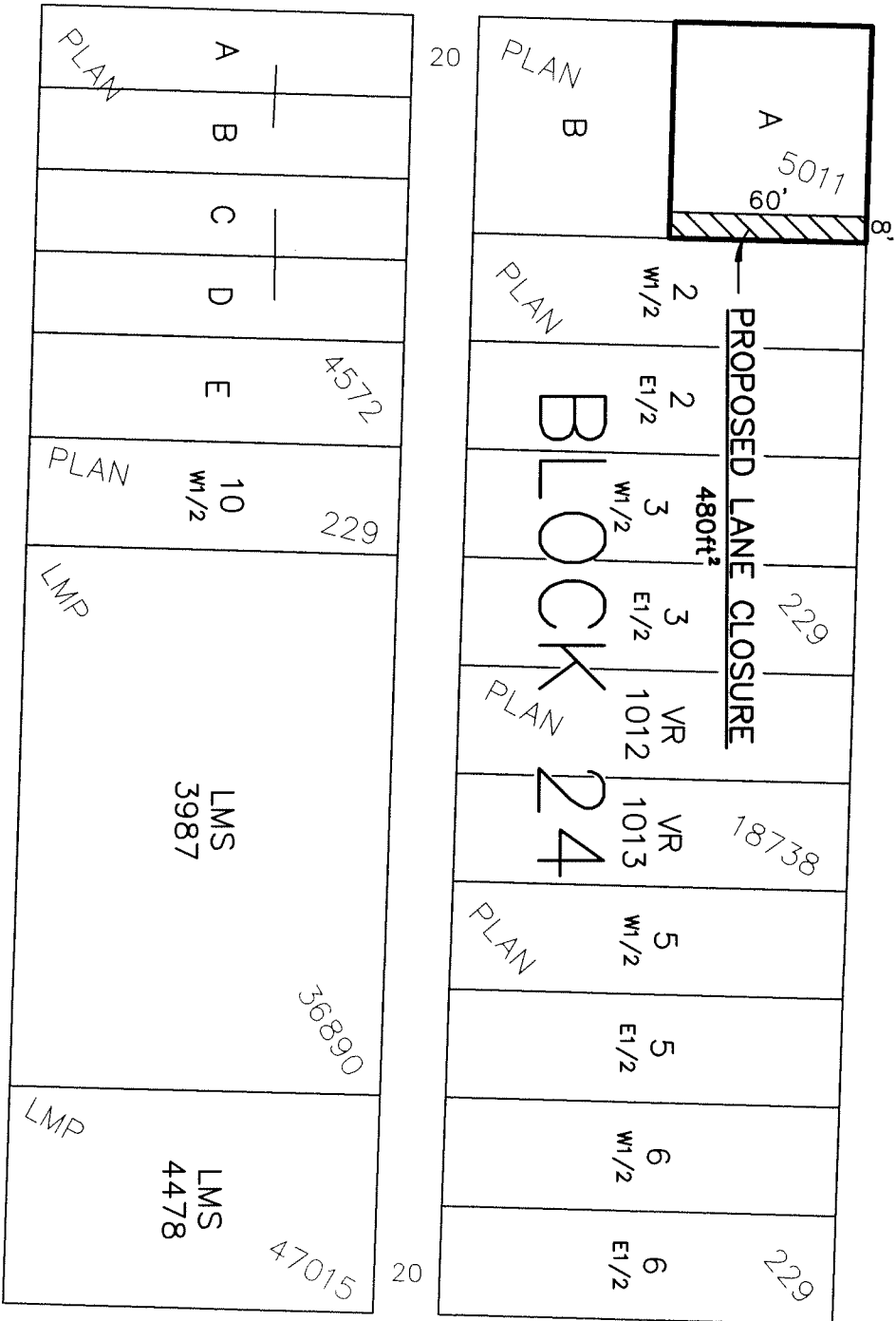


WATERLOO STREET

WEST 3RD AVENUE

WEST 4TH AVENUE

BLENHEIM STREET



TERMS AND CONDITIONS OF CONVEYANCE

1. The portion of lane to be closed to be consolidated with Lot A to form a single parcel, the same as generally shown within the heavy outline of Appendix "A", to the satisfaction of the Director of Legal Services;
2. The abutting owner of Lot A to pay \$60,000 plus GST if applicable for the approximately 480 square foot portion of lane to be closed, in accordance with the recommendation of the Director of Real Estate Services;
3. The abutting owner to grant the City a Statutory Right of Way over the east 3.0 metres of the consolidated parcel, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, to ensure continuing access to the existing sewer connection within the closed lane portion for maintenance and construction purposes;
4. That subsequent to the consolidation of the portion of lane to be closed with Lot A to form a single parcel, Easement and Indemnity Agreement K43357 be discharged from the title of the consolidated parcel;
5. The abutting owner to be responsible for any necessary plans, documents, and Land Title Office fees;
6. The sale proceeds to be credited to the Property Endowment Fund;
7. Any agreements are to be to the satisfaction of the Director of Legal Services;
8. 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.