



ADMINISTRATIVE REPORT

Report Date: April 17, 2009
Contact: Al Zacharias
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VanRIMS No.: 08-2000-20
Meeting Date: May 5, 2009

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 Road Adjacent to 4006 West 38th Avenue

RECOMMENDATION

THAT Council close, stop-up and convey to the abutting owner, all that portion of road being: [PID: 016-159-110] The East 7 Feet of Lot 13 Block 18 District Lot 2027 Plan 5959, 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 road 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 7 foot wide portion of road adjacent to 4006 West 38th Avenue.

BACKGROUND

The owners of 4006 West 38th Avenue (legally described as [PID: 011-031-042] Lot 13, Except the East 7 Feet Now Road, Block 18 District Lot 2027 Plan 5959 (hereinafter, "Lot 13")) have made application to purchase the 7 foot wide portion of road adjacent to Lot 13.

The 7 foot wide portion of road adjacent to Lot 13 to be closed is legally described as [PID: 016-159-110] The East 7 Feet of Lot 13 Block 18 District Lot 2027 Plan 5959, and was established as road by Council Resolution in 1945.

The road portion presently functions in part as boulevard area and also as part of the fenced-in rear yard area for the existing home on Lot 13.

DISCUSSION

The Crown Street road allowance adjacent to the subject site exceeds the City standard of 66 feet as a consequence of the former Crown Street Building Line, which was deleted in 1974. The 7 foot wide road portion is therefore no longer required for civic purposes, and as noted above has in large part been used exclusively by the owner of Lot 13 for many years.

The Director of Real Estate Services has negotiated a sale of the 1,169 square foot portion of road for \$100,000 plus GST if applicable. The Director of Real Estate Services advises that the sale price of \$100,000 represents fair market value for the portion of road to be conveyed. The owner of Lot 13 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

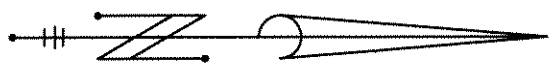
The General Manager of Engineering Services, in consultation with the Director of Real Estate Services, recommends approval of the Recommendation contained in this report.

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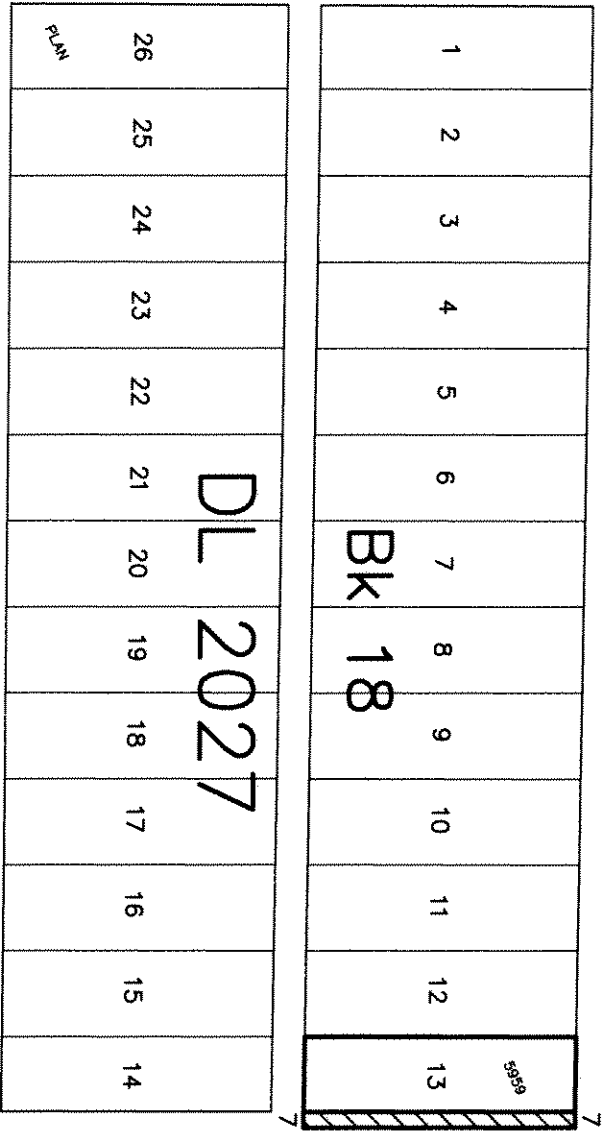
APPENDIX A

PROPOSED ROAD CLOSURE

108.6m² (1169ft²)



CAMOSUN STREET



WEST 38TH AVENUE

WEST 39TH AVENUE

CROWN STREET

ALL DISTANCES ARE IN FEET
DMK, MAP H-18

TERMS AND CONDITIONS OF CONVEYANCE

1. The portion of road to be closed is to be consolidated with Lot 13 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 13 to pay \$100,000 plus GST if applicable for the approximately 1,169 square foot portion of road to be closed, in accordance with the recommendation of the Director of Real Estate Services;
3. The abutting owner to be responsible for all necessary plans, documents, and Land Title Office fees;
4. The sale proceeds to be credited to the Property Endowment Fund;
5. Any agreements are to be to the satisfaction of the Director of Legal Services;
6. 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.