



IN CAMERA

ADMINISTRATIVE REPORT

Report Date: December 1, 2009
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VanRIMS No.: 08-2000-21
Meeting Date: December 15, 2009

TO: Vancouver City Council

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

SUBJECT: Property Acquisition for Left turn Bays on Knight Street at 33rd Avenue

IN CAMERA RATIONALE

This report is recommended for consideration by Council in the In Camera agenda as it relates to Section 165.2(1) of the *Vancouver Charter*: (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the city.

RECOMMENDATION

- A. That Council authorize the Director of Real Estate Services to proceed with the acquisition of 17.8 square metres (192 sq ft) of land for road purposes from 4868 Knight Street, legally described as Parcel Identifier: 013-636-090 Lot 10, Except The West 7 Feet Now Road and Part In Explanatory Plan LMP21625 Block 7 District Lot 705 Plan 2571 at a total cost of \$36,000. Funding for the acquisition is available from the 2009 Streets Basic Capital Budget for Arterial Improvements, Knight & 33rd Left Turn Bay;
- B. That Council grant the Director of Real Estate Services authority to proceed with the negotiations and to determine, in consultation with the General Managers of Engineering and Legal Services and the Director of Budgets, the terms and conditions of agreements on which the properties identified in Appendix B shall be acquired by the City provided that in no case shall the value for each individual property acquisition exceed \$100,000 without reporting back to Council; and that the Director of Real Estate Services be authorized to execute such documents (including without limitation, Offers to Purchase) and plans as are necessary to complete such acquisitions. The source of funding is available from 2009 Streets Basic Capital Budget for Arterial Improvements, Knight & 33rd Left Turn Bay; and

- C. No legal rights or obligations shall arise or be created until all legal documentation is fully executed on terms and conditions to the satisfaction of the Directors of Real Estate and Legal Services.

GENERAL MANAGER'S COMMENTS

The General Manager of Business Planning and Services recommends approval of the foregoing; noting that approval of Recommendation B will reduce the administrative paperwork connected with reporting an additional eight small property acquisitions to complete the acquisition phase and will allow for faster processing which is important to many potential sellers.

COUNCIL POLICY

Council approval is required to acquire or dispose of civic properties.

On May 27, 1997 Council approved the Vancouver Transportation Plan which recommended that staff develop improvements for goods movement and safety along Knight Street.

On January 15, 2002 Council approved the Victoria-Fraserview/Killarney Community Vision which provided a direction to improve conditions and safety on Knight Street for residents, pedestrians and transit users.

On April 20, 2003 Council approved the Clark-Knight Corridor Whole Route Analysis project to develop a corridor plan that would recommend improvements for pedestrians, transit users, residents and goods movement.

On March 29, 2005 Council approved the Clark-Knight Corridor Plan which outlined various measures to improve liveability and transportation along the corridor, including a left turn bay on Knight Street at 33rd Avenue

PURPOSE

The purpose of this report is to seek Council approval to acquire a 17.8 square metre (192 sq ft) widening strip from 4868 Knight Street for the installation of Left Turn Bays on Knight Street at 33rd Avenue (Appendix A); and also to seek authority for the Director of Real Estate Services to negotiate, in consultation with the General Managers of Engineering and Legal Services and the Director of Budgets, the terms and conditions on an additional eight small acquisitions as outlined in Appendix B.

DISCUSSION

Property Acquisition of a Portion of 4868 Knight Street

The subject property is zoned RS-1S and improved with a newer two storey basement home. The proposed widening of Knight Street at this location necessitates the acquisition of 17.8 square metres of land (192 sq ft) from the frontage of the property.

Following negotiations with the owner of the property they have agreed to sell the widening strip to the City at a purchase price of \$26,000 in satisfaction of all disruptive factors relating to the City's acquisition of the land. An additional cost of approximately \$10,000 is required to remove and relocate the existing concrete wall and fencing back to the new property line, which the City will undertake as part of the project. The Director of Real Estate Services considers the acquisition price of \$26,000 to be fair compensation for the property.

Property Acquisition for the Balance of This Project

When this left-turn bay project was approved, it was noted that small widening strips up to 5.2 metres would be required from 12 separate properties. Two of the acquisitions have already been approved and if the acquisition recommended in this report is approved, then nine properties would remain. As these acquisitions are successfully negotiated, reports similar to this one would typically be required for each acquisition.

In order to reduce the amount of Council and staff time required, and help expedite project construction it is recommended (Recommendation B) that Council grant the Director of Real Estate Services, in consultation with other senior staff, authority to negotiate the terms and conditions on which the properties identified in Appendix B shall be acquired by the City; enter into agreements and sign documents as required to complete the acquisitions, without further reports back to Council. Approval of Recommendation B would allow the acquisitions to proceed directly and avoid the need for up to 8 additional acquisition reports back to Council, keeping in mind that the majority of these types of negotiations are settled with prospective sellers on short notice, this authority would provide more certainty for the prospective sellers along with a quicker sale.

In 2006 similar authority was granted to the Director of Real Estate Services for the construction of Left Turn Bays on Knight Street at 49th Avenue, however this authority was only for small, simple acquisitions and modifications (e.g. fence or wall relocations or building improvements to reduce noise impacts). All major acquisitions which exceed \$100,000 will continue to be presented to Council for approval.

One property acquisition that is expected to exceed \$100,000 and not included in this report is a 174.6 sq metre (1,879 sq ft) portion of a commercially zoned property at 4894 Knight Street. This property is located on the northeast corner of Knight and 33rd Avenue and the value of the land and the expected claims for business loss and disruption is expected to exceed \$100,000, so staff will report back to Council for approval of this acquisition when negotiations with the owner have been concluded.

FINANCIAL IMPLICATIONS

Funding is available from the 2009 Streets Basic Capital Budget for Arterial Improvements, Knight & 33rd Left Turn Bay.

CONCLUSION

The Director of Real Estate Services considers the acquisition price of \$26,000 for the 17.8 square metre widening strip and the estimated \$10,000 cost to relocate the existing concrete wall back to the new property line fair compensation.

The recommendation to acquire the additional properties at a value not to exceed \$100,000 for any one property will reduce Council and staff time, and allow for a quicker process, in completing the acquisitions of the required properties as noted in Appendix B.

Funding to be from the 2009 Streets Basic Capital Budget for Arterial Improvements, Knight & 33rd Left Turn Bay

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	ADDRESS	LEGAL DESCRIPTION	AREA REQUIRED (square metres)
1.	4812 Knight Street	Lot 2, Except the West 7 Feet Now Road, Block 7, District Lot 705, Plan 2571	16.9
2.	4818 Knight Street	Lot 3, Except the West 7 Feet Now Road, Block 7, District Lot 705, Plan 2571	20.8
3.	4824 Knight Street	Lot 4, Except: Firstly: the West 7 Feet Now Road, Secondly: Part Plan BCP 9378; Block 7, District Lot 705, Plan 2571	9.7
4.	4832 Knight Street	Lot 5, Except the West 7 Feet Now Road, Block 7, District Lot 705, Plan 2571	28.6
5.	4840 Knight Street	Lot 6, Except the West 7 Feet Now Road, Block 7, District Lot 705, Plan 2571	32.5
6.	4846 Knight Street	Lot 7, Except the West 7 Feet Now Road, Block 7, District Lot 705, Plan 2571	36.3
7.	1390 E 33 rd Avenue	Lot L, Districts Lots 700 and 701 Plan 12264	23.4
8.	1418 E 32 nd Avenue	Lot 1 Except the West 7 Feet Now Road, Block 7, District Lot 705, Plan 2571	13.0