



# A7

## ADMINISTRATIVE REPORT

Report Date: July 6, 2010  
Contact: Al Zacharias  
Contact No.: 604.873.7214  
RTS No.: 08804  
VanRIMS No.: 08-2000-20  
Meeting Date: July 20, 2010

TO: Vancouver City Council

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

SUBJECT: Closure and Sale of Hartley Street Adjacent to 3198 East Kent Avenue South

### ***RECOMMENDATION***

THAT Council close, stop-up and convey to the owner of 3198 East Kent Avenue South (legally described as [PID: 014-870-380] That Part of Block 8 Lying South of Right of Way Shown on Explanatory Plan 5938 District Lot 330 Plan 455 (hereinafter, "Block 8")) that approximately 0.274 ha portion of abutting road ("Hartley Street"), the same as generally shown hatched on the plan attached as Appendix "A", subject to the terms and conditions as noted in Appendix "B".

### ***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 Hartley Street to the abutting owner, namely, the owner of 3198 East Kent Avenue South.

### ***BACKGROUND***

The owner of Block 8 at 3198 East Kent Avenue South has made application to purchase Hartley Street, which is currently unconstructed. Hartley Street was dedicated to the City for road purposes upon registration of Plan 2593 in 1910.

At its meeting of January 21, 2010, Council approved Recommendation I.2.B.8.b of the Proposed Conditions of By-law Enactment (Rezoning to CD-1) for the East Fraser Lands Area 2 South, which requires the owner of Block 8 to acquire Hartley Street from the City at a cost to be determined by Council.

On December 12, 2006, Council authorized the closure, stopping-up and lease of Hartley Street to the abutting owner, Park Lane White Pines Development Limited ("Park Lane"). The existing lease between the City and Park Lane also includes the use of portions of Kent Avenue South, Kinross Street, Dudley Street and Cromwell Street. The street lease areas are fenced off together with adjoining lands for use by Park Lane for remediation work and site preparation, and to prevent unauthorized uses such as garbage dumping and trespass.

### *DISCUSSION*

Park Lane plans to phase the development of the lands covered by the East Fraser Lands Official Development Plan (ODP) over an approximate twenty year construction period. The ODP includes a re-configuration of the street network to reflect current City transportation and public access priorities.

The initial reconfiguration of the street network will occur under Phase 1 of the East Fraser Lands Area 2 subdivision, which will consolidate the closed portion of Hartley Street with adjoining parcels, and dedicate portions of the Area 2 lands to the City for road purposes, generally in accordance with the draft subdivision application plan attached as Appendix "C". The owner of Block 8 is also the owner of the lands on the east side of Hartley Street (Lot 25 Blocks 9, 10 and 16 to 19 District Lots 330 and 331 Plan 2593).

The owner of Block 8 will be responsible for all costs, plans, documents and Land Title Office fees required to complete the conveyance. Following completion of the conveyance, the lease will be modified to remove Hartley Street from the street lease areas.

### *FINANCIAL IMPLICATIONS*

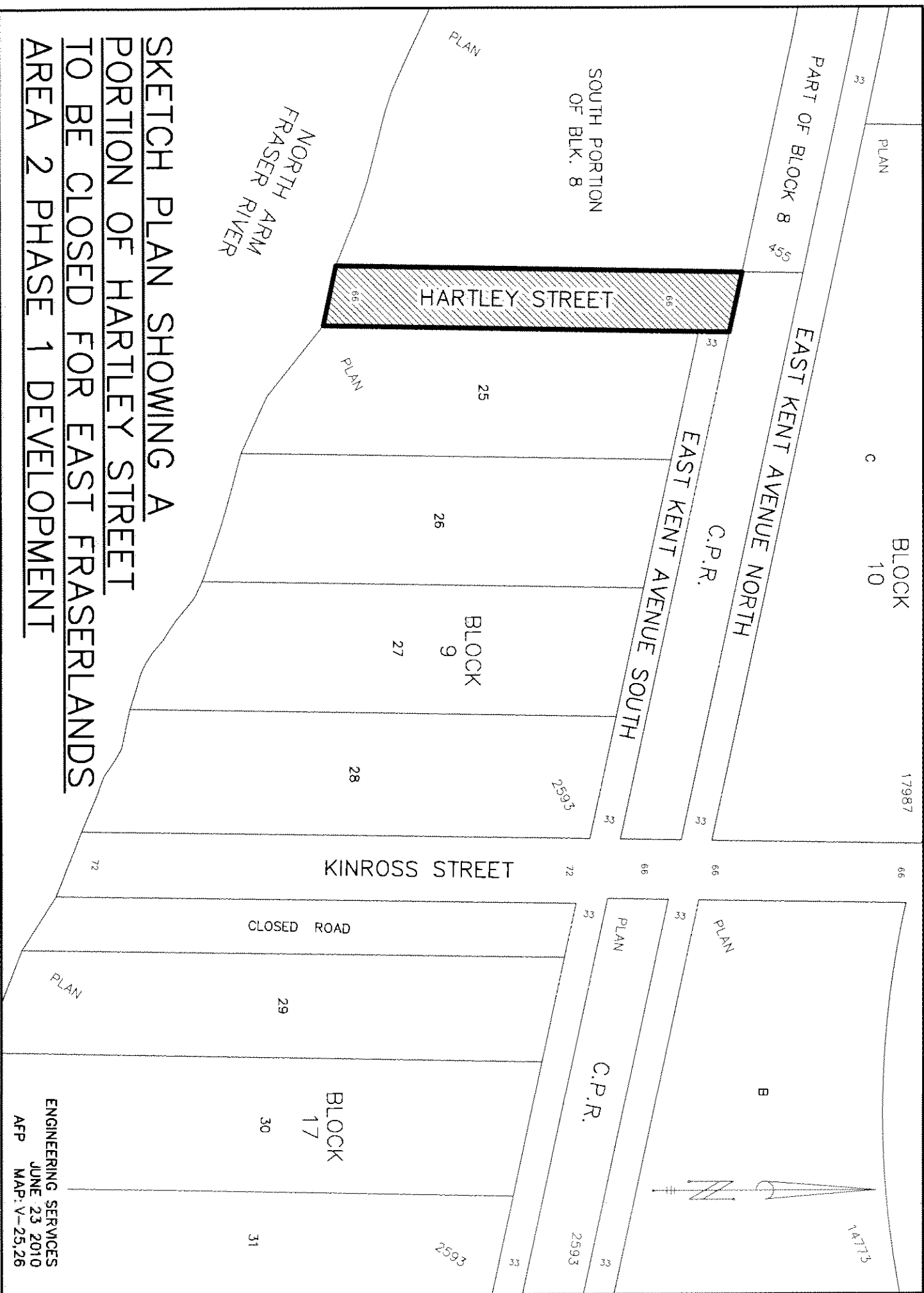
There are no financial implications. Under the public amenity and financial strategy for the East Fraser Lands ODP, Park Lane is obligated to dedicate land to the City for road, parks and open space at no cost to the City as conditions of rezoning approval. The pro forma analysis undertaken to determine the level of public amenities deliverable within the East Fraser Lands ODP assumed that existing streets to be closed would be conveyed to Park Lane at nominal cost. Therefore, the Director of Real Estate Services recommends that the purchase price for Hartley Street be at a nominal \$10.00 value.

### *CONCLUSION*

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

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APPENDIX 'A'



SKETCH PLAN SHOWING A  
PORTION OF HARTLEY STREET  
TO BE CLOSED FOR EAST FRASERLANDS  
AREA 2 PHASE 1 DEVELOPMENT

TERMS AND CONDITIONS OF CONVEYANCE

1. The Hartley Street road allowance to be closed is to be subdivided with, at a minimum, adjoining Block 8, to the satisfaction of the Director of Legal Services and the Approving Officer;
2. The abutting owner of Block 8 to pay a nominal \$10.00 for Hartley Street, in accordance with the recommendation of the Director of Real Estate Services;
3. The abutting owner of Block 8 to grant the City a temporary statutory right of way over the portions of Hartley Street to be closed for broad public utility purposes, to be discharged when new street and drainage infrastructure is complete, to the satisfaction of the General Manager of Engineering Services;
4. The abutting owner of Block 8 to be responsible for all necessary plans, documents, and Land Title Office fees;
5. The Director of Legal Services or the Director of Real Estate Services, as applicable, to execute all plans, transfers, and documents as required;
6. Any agreements are to be to the satisfaction of the Director of Legal Services;
7. 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.

PROPOSED SUBDIVISION PLAN OF PARTS OF DISTRICT LOTS 330, 2100 AND 6320,  
 GROUP 1 NEW WESTMINSTER DISTRICT  
 (SEE TABLE OF PROPERTIES)

PLAN BCP \_\_\_\_\_

DEPOSITED IN THE LAND TITLE OFFICE  
 AT NEW WESTMINSTER, B.C.,  
 THIS DAY OF \_\_\_\_\_, 2010

BCGS 926.025

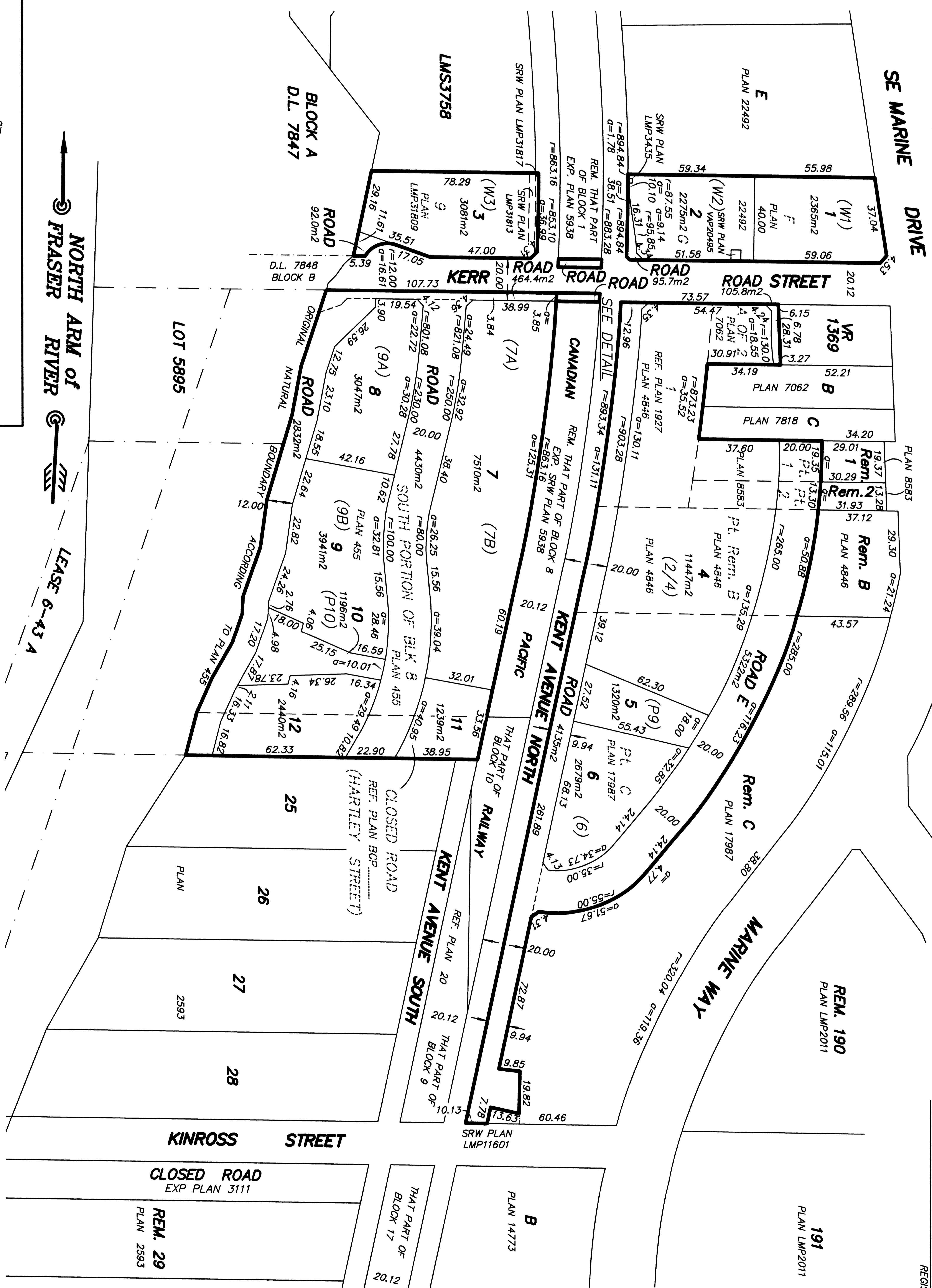
SCALE 1 : 1500 DISTANCES ARE IN METRES

LEGEND

- GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN CONTROL MONUMENTS V-2502, V2503, V-2506
- FOUND PLACED
- DENOTES CONTROL MONUMENT
- DENOTES LEAD PLUG
- DENOTES IRON POST
- DENOTES WITNESS
- WT DENOTES WITNESS
- m<sup>2</sup> DENOTES SQUARE METRES

TABLE OF PROPERTIES

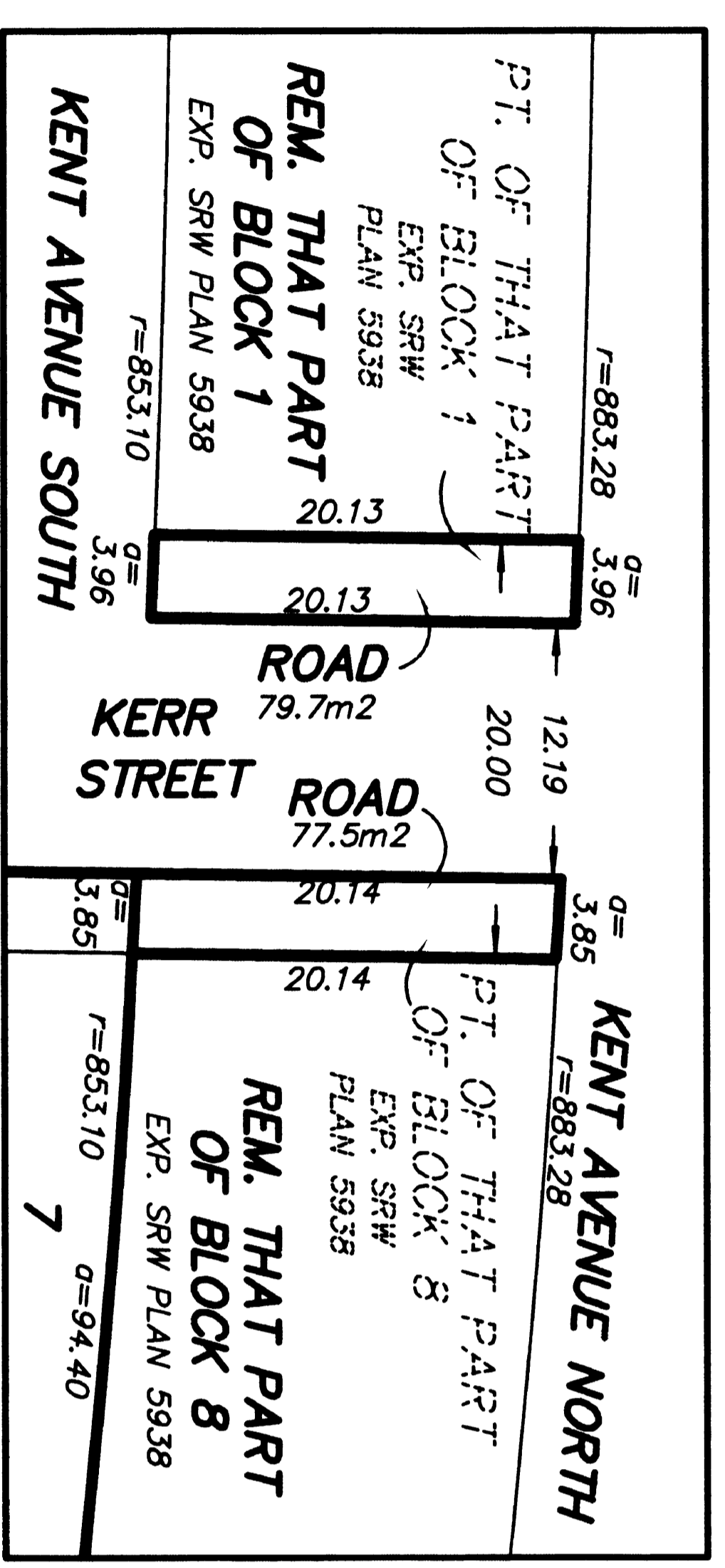
LEGAL DESCRIPTION
LOT F DISTRICT LOT 330 PLAN 22492
LOT G DISTRICT LOT 330 PLAN 22492
LOT 9 DISTRICT LOTS 330, 2100 AND 6320 GROUP 1 N.W.D. PLAN LMP31809
LOT A (EXP. PLAN 3108) OF LOT 2 BLOCK A OF BLOCK 8 DISTRICT LOT 330 PLAN 7062
LOT 1 (REF. PLAN 1927) OF LOT A BLOCK 8 DISTRICT LOTS 330 AND 331 PLAN 4846
PART OF LOT 1 OF LOT D OF LOT 3 BLOCK A OF BLOCK 8 DISTRICT LOT 330 PLAN 8583
PART OF LOT 2 OF LOT D OF LOT 3 BLOCK A OF BLOCK 8 DISTRICT LOT 330 PLAN 8583
PART OF LOT B EXCEPT PART IN REF. PLAN 10523, NOW ROAD BLOCK 8 DISTRICT LOTS 330 AND 331 PLAN 4846
PART OF LOT C DISTRICT LOT 330 PLAN 17987
THAT PART OF BLOCK 8 LYING SOUTH OF RIGHT OF WAY SHOWN ON EXP. PLAN 5938 DISTRICT LOT 330 PLAN 455
CLOSED ROAD (REF. PLAN BCP _____) DEDICATED BY THE DEPOSIT OF SUBDIVISION PLAN 2593, ADJACENT TO LOT 25 PLAN 2593, BLOCKS 9, 10 AND 16 TO 19 DISTRICT LOTS 330 AND 331 (HARTLEY STREET)
PART OF THAT PART OF BLOCK 1 SHOWN AS RIGHT OF WAY ON EXPLANATORY PLAN 5938 DISTRICT LOT 330 PLAN 455
PART OF THAT PART OF BLOCK 8 SHOWN AS RIGHT OF WAY ON EXPLANATORY PLAN 5938 DISTRICT LOT 330 PLAN 455



CERTIFIED CORRECT  
 THIS 7th DAY OF APRIL, 2010

DRAFT

B.C.L.S.



DETAIL  
 NOT TO SCALE

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT

30 JUNE 2010  
 3052-AREA 2-PH1  
 BUTLER SUNDVICK  
 4 - 19089 94th Ave  
 Surrey, BC V4N 3S4  
 www.butlersundvick.ca  
 Tel: 604-513-9611  
 File: 3052  
 Dwg: 3052-AREA2-PH1 Rev.1