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ADMINISTRATIVE REPORT

Report Date: December 9, 2010
Contact: Peter Judd
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RTS No.: 09005
VanRIMS No.: 08-2000-20
Meeting Date: February 1, 2011

TO: Vancouver City Council

FROM: 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 289 East 19th Avenue

RECOMMENDATION

THAT Council close, stop-up and convey to the abutting owners of 289 East 19th Avenue that approximately 346.5 square foot portion of road legally described as [PID: 011-250-194] The South 7 Feet of Lot 11 Block 72 District Lot 301 Plan 5112 (hereinafter, the "Road Portion"), the same as generally shown hatched on the plan attached as Appendix "A", subject to the terms and conditions as noted in Appendix "B".

THAT the sale proceeds of \$48,000 be credited to the Property Endowment Fund.

If Council approves the recommendations as contained in this report, the Formal Resolution to close the Road Portion 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.

It is Council policy and practice that property assets declared surplus to civic needs are transferred to the Property Endowment Fund or are sold with the proceeds credited to the Property Endowment Fund.

PURPOSE

The purpose of this report is to seek Council authority to close, stop-up and convey the Road Portion to the abutting owners; namely, the owners of 289 East 19th Avenue.

BACKGROUND

The owners of 289 East 19th Avenue (legally described as [PID: 003-371-522] Lot 11, Except the South 7 Feet, Now Road, Block 72 District Lot 301 Group 1 New Westminster District Plan 5112 (hereinafter "Lot 11")) have made application to purchase the Road Portion adjacent to Lot 11.

The Road Portion to be closed is 7 feet wide and is effectively occupied as part of the front yard for the dwelling situated on Lot 11. The Road Portion was established as road by Council Resolution in 1945.

DISCUSSION

The East 19th Avenue road allowance adjacent to Lot 11 is 73 feet in width, and therefore exceeds the City standard of 66 feet. Noting that the owner of Lot 11 intends to subdivide the Road Portion with Lot 11 to create two new parcels, the closure and sale of the Road Portion and its ultimate redevelopment with adjoining lands will be consistent with the established one-family development pattern on East 19th at this location. Based on Engineering Services review of this matter, the Road Portion is no longer required for civic purposes.

The Director of Real Estate Services has negotiated a sale of the Road Portion for \$48,000 plus applicable taxes. The Director of Real Estate Services advises that the sale price of \$48,000 represents fair market value for the Road Portion to be conveyed. The owner of Lot 11 will be responsible for all costs, plans, documents and Land Title Office fees required to complete the conveyance.

FINANCIAL IMPLICATIONS

The sale proceeds of \$48,000 will be credited to the Property Endowment Fund.

CONCLUSION

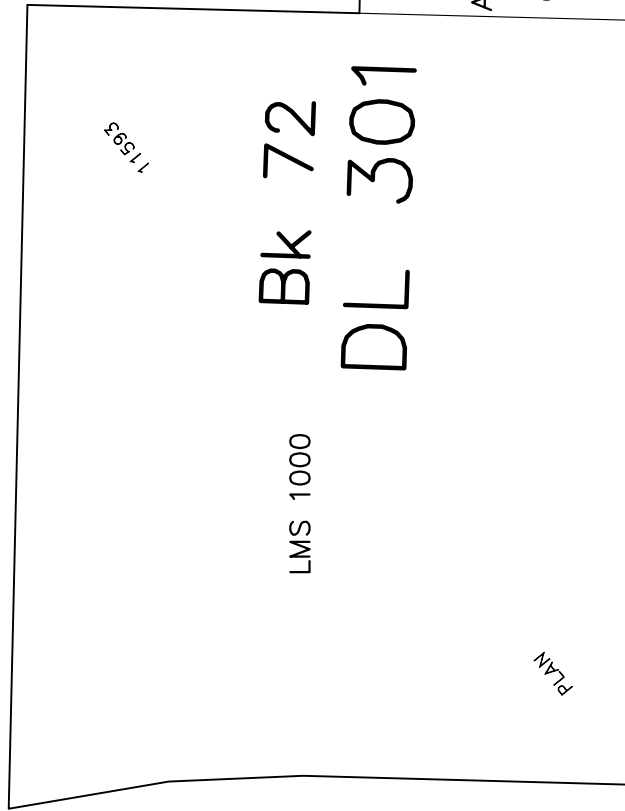
The General Manager of Engineering Services in consultation with the Director of Real Estate Services recommends approval of the Recommendation contained in this report.

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MAIN STREET

EAST 18TH AVENUE



SOPHIA STREET

EAST 19TH AVENUE

PROPOSED ROAD CLOSURE
32.2m² (347 sq. ft.)

TERMS AND CONDITIONS OF CONVEYANCE

1. The Road Portion to be closed is to be subdivided with Lot 11 to form two parcels, the same as generally shown within the heavy outline of Appendix "A", to the satisfaction of the Director of Legal Services and the Approving Officer;
2. The abutting owner of Lot 11 to pay \$48,000 plus applicable taxes for the Road Portion, in accordance with the recommendation of the Director of Real Estate Services;
3. The abutting owner to enter into a "support" agreement with the City for registration on the titles of the subdivided parcels, to the satisfaction of the General Manager of Engineering Services and Director of Legal Services, to ensure that support for adjoining City lands is provided in perpetuity;
4. The abutting owner to be responsible for all necessary plans, documents, and Land Title Office fees;
5. Any agreements are to be to the satisfaction of the Director of Legal Services;
6. The Director of Legal Services or the Director of Real Estate Services, as applicable, be authorized to execute all plans, transfers, and documents as required.
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.