



# A1

## ADMINISTRATIVE REPORT

Report Date: October 6, 2011  
Contact: Al Zacharias  
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VanRIMS No.: 08-2000-20  
Meeting Date: November 1, 2011

TO: Vancouver City Council

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

SUBJECT: 555 Robson Street (Telus Garden) - Closure and Sale of Lane

### *RECOMMENDATION*

THAT Council close, stop-up and convey to the owners of 555 Robson Street (TELUS Communications Inc.) that approximately 214.1 square metre portion of lane (hereinafter, the "City Lane"), as generally shown hatched on the sketch attached as Appendix "A", to be consolidated with the abutting lands subject to the terms and conditions as noted in Appendix "B";

FURTHER THAT the sale proceeds of \$115,250 be credited to the Property Endowment Fund.

### *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 City Lane to the abutting owners; namely, TELUS Communications Inc. ("Telus"), in support of the Telus Garden CD-1 Rezoning application.

***BACKGROUND***

In concert with the Telus Garden rezoning application, the Director of Real Estate Services has entered into negotiations with Telus to purchase the City Lane and abutting City lands described as Lots 32 and 33 Plan 210 and Lots 34 and 35 Plan 8259 all of Block 54 District Lot 541 (the "City Parkade"). A portion of the adjacent Telus lands, described as that approximately 1284.8 square metre portion of Lot 1 Block 54 District Lot 541 Plan 15050 (the "White Spot Site") will be subdivided and consolidated with the City Lane and the City Parkade as shown within bold outline on Appendix A.

The City Lane is 20 feet wide and was dedicated to the City as lane upon registration of Plan 210 circa 1900. The City Lane contains City and outside utility company infrastructure that must be accommodated by the proposed development.

***DISCUSSION***

An Engineering Services review of this matter has concluded that the City Lane is not required for civic purposes for the foreseeable useful life of the building proposed under the rezoning. A volumetric statutory right of way through the closed City Lane for utility and access purposes will be provided to accommodate utilities and arrangements will be made to take back the City Lane, in the event that it is required, at the end of the useful life of the building. An additional statutory right of way in favour of the City for access purposes (along the surface) will be provided to Richards Street as shown shaded on Appendix A.

Telus will be responsible for all costs, plans, documents and Land Title Office fees required to complete the conveyance.

***FINANCIAL IMPLICATIONS***

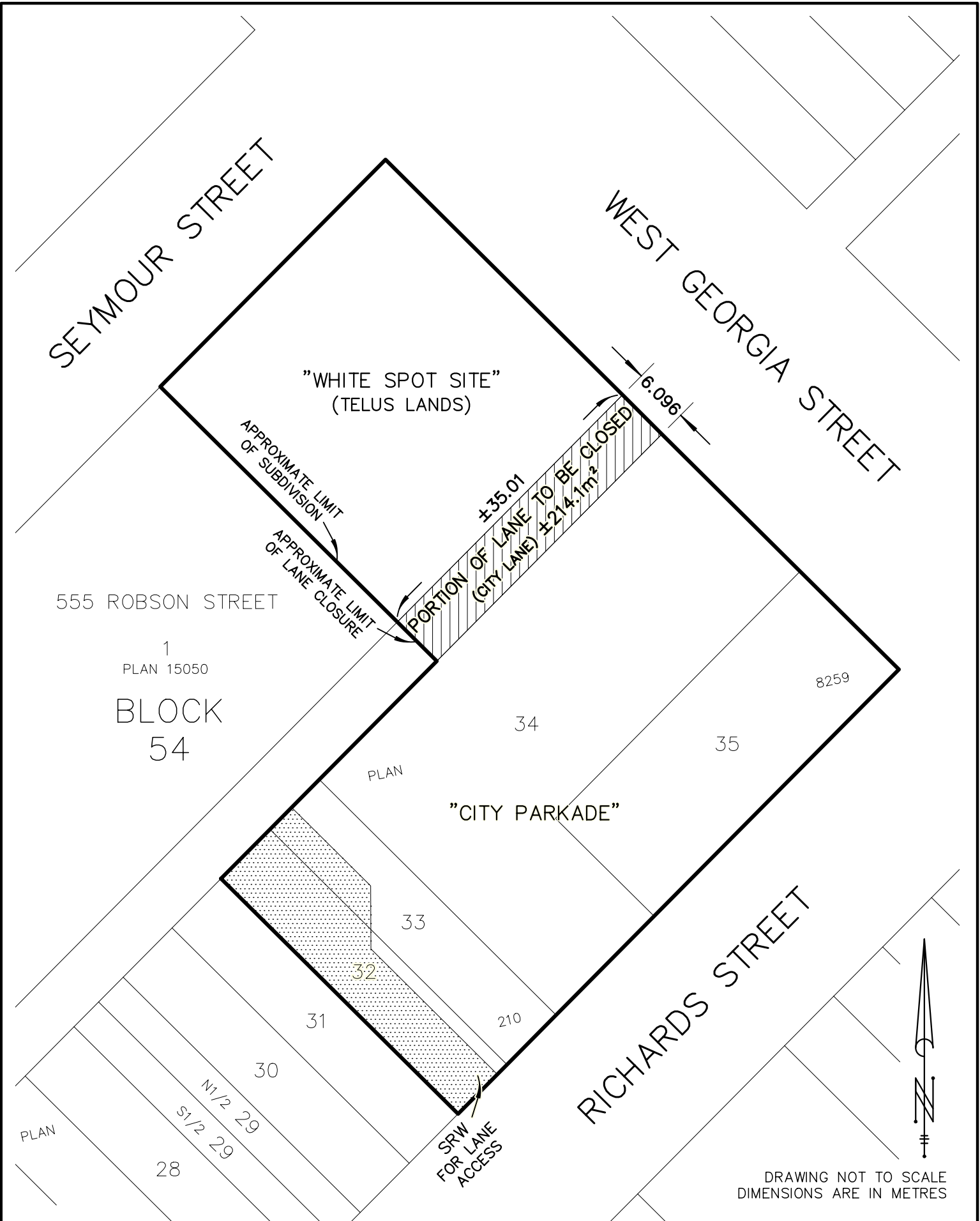
The Director of Real Estate Services has negotiated a sale of the City Lane for \$115,250 plus applicable taxes. The Director of Real Estate Services advises that the sale price of \$115,250 represents fair market value for the City Lane to be conveyed.

The sale proceeds of \$115,250 will be credited to the Parking Sites Reserve in 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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DRAWING NOT TO SCALE  
DIMENSIONS ARE IN METRES

TERMS AND CONDITIONS OF CONVEYANCE

1. The City Lane is to be consolidated with Lots 32 and 33 Plan 210 and Lots 34 and 35 Plan 8259 all of Block 54 District Lot 541 (the "City Parkade") and an approximately 1284.8 square metre portion of Lot 1 Block 54 District Lot 541 Plan 15050 (the "White Spot Site") to form a single parcel, the same as generally shown within bold outline on Appendix "A", to the satisfaction of the Director of Legal Services (DLS) and the Approving Officer;
2. Telus to pay \$115,250 plus applicable taxes for the approximately 214.1 square metre City Lane in accordance with the recommendation of the Director of Real Estate Services;
3. The conveyance of the City Lane to be subject to the approval of the CD-1 Rezoning - 555 Robson Street, 775 Richards Street, 520 West Georgia Street (Telus Garden) at public hearing, and the purchase and sale arrangements between the City and Telus for the sale of the City Parkade and the City Lane;
4. The provision of written confirmation from all outside utility companies (including BC Hydro, Fortis, Telus, and Teraspan) that arrangements have been made to accommodate their services and that they have no objection to the lane closure to the satisfaction of the General Manager of Engineering Services (GMES);
5. The registration of a volumetric statutory right of way, in favour of the City, through the City Lane for all utilities, utilities access and public access to the satisfaction of the GMES and the DLS. The volumetric SRW parcel must provide a suitable depth below grade to provide for underground utilities and a suitable height above grade (15 feet) to provide for equipment operations and public access. The structure below the SRW must meet minimum vehicle loading to the satisfaction of the City's Structures Engineer and provide a sacrificial concrete slab to protect the structure below from damage from utility construction;
6. Arrangements for an Option to Purchase and Statutory Right of Way, in favour of the City, over the whole of the City Lane such that the City can take back the lane, should it be required, for a nominal fee at the end of the useful life of the proposed building, to the satisfaction of the GMES and DLS;
7. The registration of a statutory right of way, in favour of the City, for public access over the surface, for new lane access (25 feet clear unobstructed height above grade required) to Richards Street adjacent to Lot 31 as shown shaded on Appendix A to the satisfaction of the GMES and the DLS;
8. Telus to be responsible for all necessary plans, documents, and Land Title Office fees;
9. Any agreements are to be to the satisfaction of the Director of Legal Services;
10. 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;
11. No legal right or obligation shall be created and none shall arise hereafter, until the documents are executed by the parties thereto.