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ADMINISTRATIVE REPORT

Report Date: May 25, 2012
Contact: Al Zacharias
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RTS No.: 9632
VanRIMS No.: 08-2000-20
Meeting Date: June 27, 2012

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 Lane Adjacent to 5645 West Boulevard

RECOMMENDATION

- A. THAT Council close, stop-up and convey to the abutting owner of 5645 West Boulevard (legally described as [PID: 006-477-283] Lot 4 of Lot 3 Block 6 of Block 17 District Lot 526 Plan 3753 (hereinafter, "Lot 4")), that approximately 500 square foot portion of abutting lane (the "Lane Portion"), the same as generally shown hatched on the plan attached as Appendix "B", at a price of \$256,250.00, subject to the terms and conditions noted in Appendix "A".
- B. THAT the sale proceeds of \$256,250.00 be credited to the Property Endowment Fund (PEF).

If Council approves the recommendations as contained in this report, the Formal Resolution to close the Lane Portion will be before Council later this day for approval.

REPORT SUMMARY

As the Lane Portion has been deemed surplus for civic purposes, this report seeks Council authority to close, stop-up and convey the Lane Portion to the owner of 5645 West Boulevard.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

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 PEF or are sold with the proceeds credited to the PEF.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The General Manager of Engineering Services recommends approval of the foregoing.

REPORT

Background/Context

The owner of Lot 4 has made application to purchase the Lane Portion adjacent to Lot 4.

The Lane Portion is 20 feet by 25 feet and was dedicated to the City upon registration of Plan 3753 in December, 1911. The Lane Portion presently functions as part of the surface parking area adjacent to Lot 4. The Lane Portion is to be consolidated with Lot 4 and northerly adjacent Lots A and 10 (5605 West Boulevard). The consolidated parcel is proposed to be redeveloped in accordance with applicable Zoning regulations.

Since the consolidated parcel will have existing lane access along its southern boundary, and access to the parking ramp for the adjacent development to the west (Strata Plan VR816 at 2150 West 40th Avenue) is provided over a crossing on West 40th Avenue, a public lane parallel and west of West Boulevard is not required at this location.

The project architect has demonstrated through a preliminary development proposal for the consolidated parcel that access to the required parking and loading facilities can be adequately provided from the adjoining lane.

In accordance with Vancouver Charter requirements, the other abutting owner to the lane portion - the owners of Strata Plan VR816 - have provided a waiver of right to purchase the Lane Portion.

In deeming streets or lanes surplus and available for sale to the abutting property owner, the General Manager of Engineering Services ensures that the property is not required for:

- transportation improvements for all modes; or
 - Infrastructure benefiting the public, and
- consults with the Director of Real Estate Services to ensure the property would not otherwise be an asset to deliver civic objectives, such as:
- additional public green space,
 - childcare, and
 - affordable housing.

Strategic Analysis

An Engineering Services review of this matter has concluded that the Lane Portion is not required for transportation or infrastructure purposes, and consultation with Real Estate Services has ensured that the Lane Portion is not required for other civic purposes.

The Director of Real Estate Services has negotiated a sale of the Lane Portion for \$256,250 plus applicable taxes. The Director of Real Estate Services advises that the sale price represents fair market value for the Lane Portion to be conveyed. The owner of Lot 4 will be responsible for all costs, plans, document and Land Title Office fees required to complete the conveyance.

Implications/Related Issues/Risk (if applicable)

Financial

The sale proceeds of \$256,250 will be credited to the Property Endowment Fund.

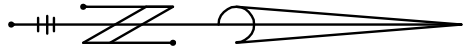
CONCLUSION

The General Manager of Engineering Services, in consultation with the Director of Real Estate Services, has deemed the Lane Portion surplus to civic purposes, meaning it is not required or suitable for civic priorities such as transportation, infrastructure to benefit the public, additional green space, childcare, or affordable housing, and therefore recommends the sale of the surplus land to the abutting property owner.

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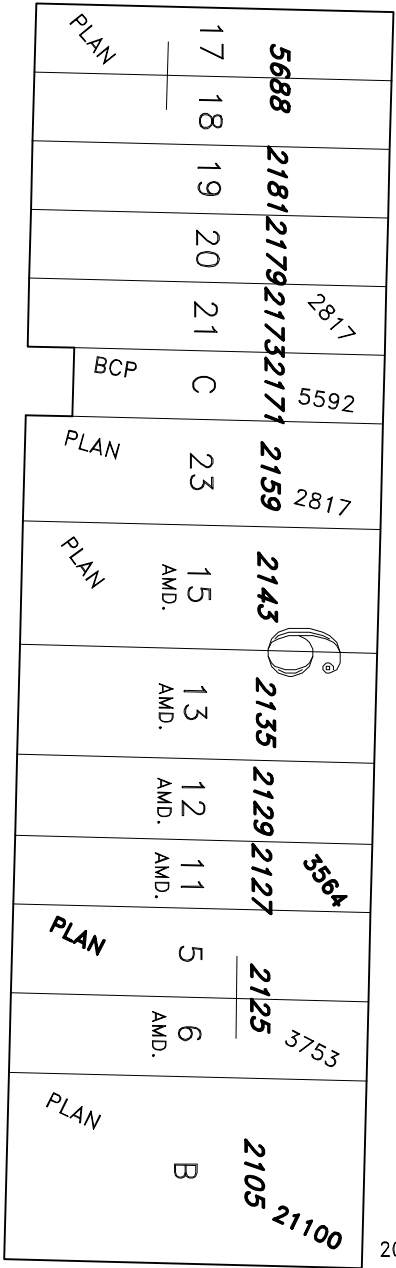
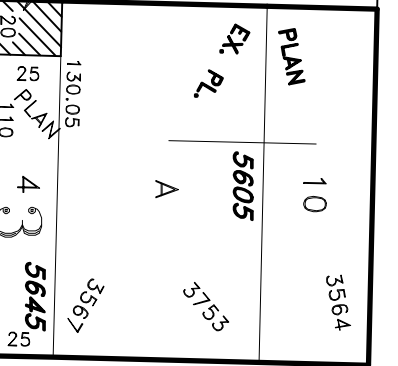
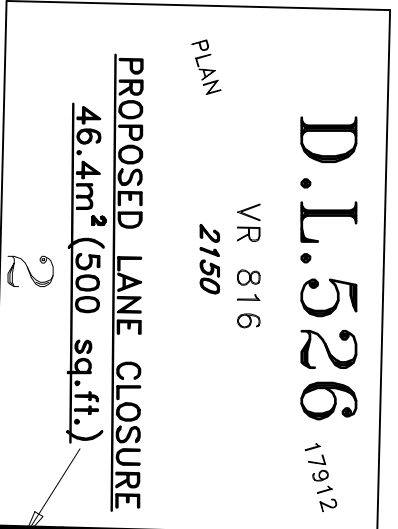
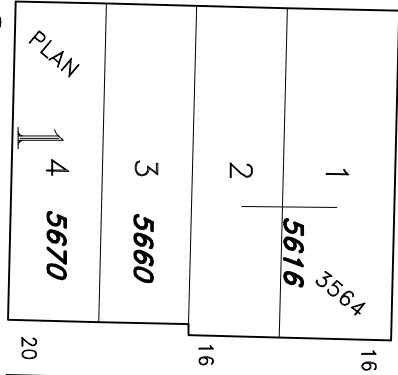
1. The Lane Portion to be closed is to be consolidated with Lot 4, and [PID: 006-856-179] Lot A (Explanatory Plan 3567) of Lot 3, Plan 3753 and [PID: 006-856-276] Lot 10 of Lot 2, Plan 3564, Both of Block 6 of Block 17, District Lot 526, to form a single parcel, the same as generally shown within the heavy outline of Appendix B, to the satisfaction of the Director of Legal Services;
2. The abutting owner of Lot 4 to pay \$256,250 plus applicable taxes for the Lane Portion, in accordance with the recommendation of the Director of Real Estate Services;
3. The abutting owner to be responsible for all necessary survey plans, documents, and Land Title Office fees;
4. Any agreements are to be drawn to the satisfaction of the Director of Legal Services;
5. No legal right or obligations 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.

APPENDIX B



W 40TH AV

YEW ST



W 41ST AV

WEST BOULEVARD

ALL DISTANCES ARE IN FEET
PBN, MAP K-19

ENGINEERING SERVICES
MAY 2, 2012