



ADMINISTRATIVE REPORT

Report Date: February 5, 2013
Contact: Al Zacharias
Contact No.: 604.873.7214
RTS No.: 09720
VanRIMS No.: 08-2000-20
Meeting Date: March 12, 2013

TO: Vancouver City Council

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

SUBJECT: 800 Griffiths Way (Rogers Arena) - Lease of a Volumetric Portion of road under the Georgia Viaduct

RECOMMENDATION

- A. THAT Council authorize the Director of Legal Services, (“DLS”), to apply and raise title in the name of the City of Vancouver to that portion of Georgia Street, generally as shown within bold outline on the plan attached as Appendix “A”, to contain an underground parking structure to be constructed under the CD-1 Rezoning - 800 Griffiths Way (Rogers Arena) (the “Rogers Arena Rezoning”).
- B. THAT Council close, stop-up, and authorize the Director of Real Estate Services (“DRES”) to enter into a 99-year lease with Pacific Coast Arena Inc. (“PCA”) for the volumetric portion of Georgia Street under the Georgia Viaduct (the “Lease Premises”), generally as shown within bold outline and illustrated isometrically on the plan attached as Appendix “B”, subject to the terms and conditions as noted in Appendix “C”.
- C. THAT a prepaid 99-year lease for the Lease Premises at a value of \$1,270,000 plus applicable taxes be accepted.
- D. THAT Council authorize the General Manager of Engineering Services (“GMES”) to approve minor and inconsequential amendments to the dimensions of the Lease Premises upon provision of legal survey plans and as-built surveys prepared by a British Columbia Land Surveyor.

REPORT SUMMARY

The purpose of this report is to seek Council authority to close, stop-up and lease the Lease Premises to the abutting owners; namely, Pacific Coast Arena Inc., in support of the 800 Griffiths Way (Rogers Arena) Rezoning application approved in principle by Council on July 19th, 2012.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

The authority for closing and disposing of street and lanes is set out in the Vancouver Charter.

On July 19, 2012 Council adopted the recommendations of Policy Report RTS 9599 to approve in principle the proposal to stop-up, close and lease portions of Griffiths Way and the road under the Georgia Viaduct at fair market value to PCA to accommodate an underground parking structure on the Rezoning Site.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

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

REPORT

Background/Context

The following Recommendation was approved by Council on July 19, 2012 with respect to the Rogers Arena Rezoning:

"THAT Council approve in principle the proposal to stop-up, close and lease volumetric portions of Griffiths Way and the road under the Georgia Viaduct at fair market value to the registered owner of the Rezoning Site to accommodate the underground parking structure proposed to be within these areas;

THAT the General Manager of Engineering Services be instructed to bring back to Council, prior to the enactment of the rezoning, a report seeking Council approval to stop-up, close and lease this volumetric portion of Griffiths Way and the road under the Georgia Street Viaduct."

PCA has requested that this Council authority be obtained prior to enactment of the Rogers Arena Rezoning in order to obtain certainty for the development.

The Georgia Viaduct between Griffiths Way and Abbott Street was dedicated as road in 1993 prior to the construction of General Motors Place arena, now known as Rogers Arena. As one of the prior to enactment conditions of the Rogers Arena Rezoning, portions of Griffiths Way and Pacific Boulevard will be dedicated as road and the development site will be created on the south side of Georgia Street as new Lot 349 as shown on the proposed subdivision plan attached hereto as Appendix "D".

The Rogers Arena Rezoning proposes a significant five storey underground parking structure as shown on the architectural drawings attached as Appendix “E” (the “Parking Structure”). The Parking Structure will be built partially on proposed Lot 349 and below the Georgia Viaduct (Georgia Street). The existing viaduct pier foundations will not form part of the Lease Premises.

Strategic Analysis

There is currently a plan being studied by the City to remove the Georgia Viaduct which will require the City to have access to the surface of the Lease Premises should the demolition proceed. To accommodate the possible removal of the Georgia Viaduct, a combination of over design of the ground level and supporting structures along with temporary shoring through all levels of the Parking Structure will support the heavy equipment that will be required for this demolition.

An Engineering Services review of this matter has concluded that the use of the street can be supported subject to the conditions contained in this report.

Implications/Related Issues/Risk (if applicable)

Financial

The DRES has determined that a prepaid lease of the Lease Premises of \$1,270,000 plus applicable taxes represents fair market value for the 99-year lease. The payment will go to the Property Endowment Fund.

CONCLUSION

The GMES in consultation with the DRES, Recommends approval of the Recommendations contained in this report

* * * * *

REFERENCE PLAN TO ACCOMPANY AN APPLICATION FOR THE REGISTRATION OF TITLE IN THE NAME OF THE CITY OF VANCOUVER TO A PORTION OF ROAD DEDICATED BY THE DEPOSIT OF PLAN LMP12038 ADJACENT TO LOT 221 FALSE CREEK PLAN LMP12038

BCCS 92G.025

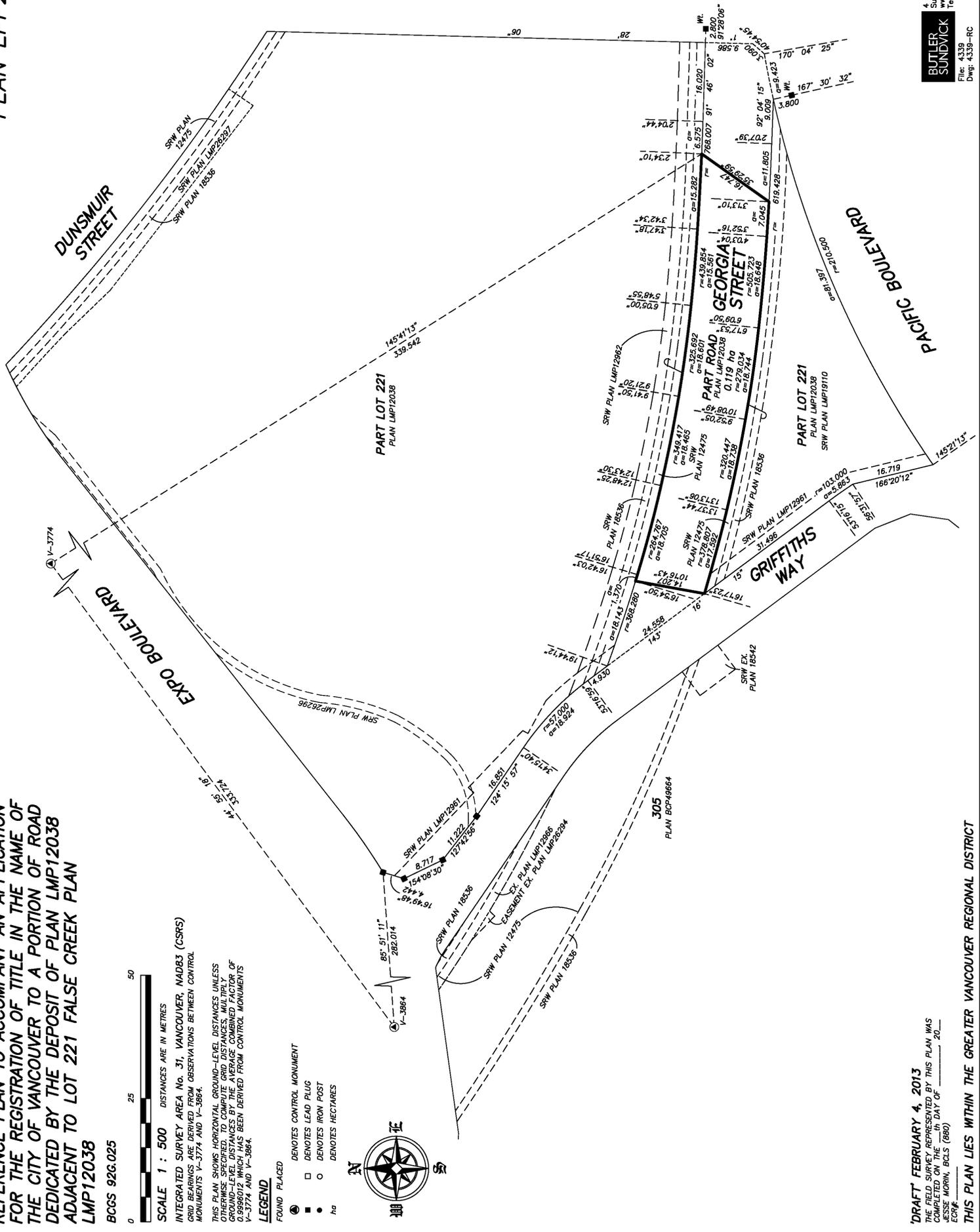


INTEGRATED SURVEY AREA No. 31, VANCOUVER, MAD83 (CSRS) GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN CONTROL MONUMENTS V-3774 AND V-3864.

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES UNLESS OTHERWISE SPECIFIED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.9999999999. DISTANCES HAVE BEEN DERIVED FROM CONTROL MONUMENTS V-3774 AND V-3864.

LEGEND

- FOUND PLACED
- DENOTES CONTROL MONUMENT
- DENOTES LEAD PLUG
- DENOTES IRON POST
- DENOTES HECTARES



"DRAFT" FEBRUARY 4, 2013
 THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE ____th DAY OF _____, 20____.
 JESSE MORIN, BCLS (880)
 EORP# _____
 THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT

EXPLANATORY PLAN TO ACCOMPANY A VOLUMETRIC LEASE OF A PORTION OF ROAD INCLUDED IN REFERENCE PLAN EPP27872 DEDICATED BY THE DEPOSIT OF PLAN LMP12038 ADJACENT TO LOT 221 FALSE CREEK PLAN LMP12038

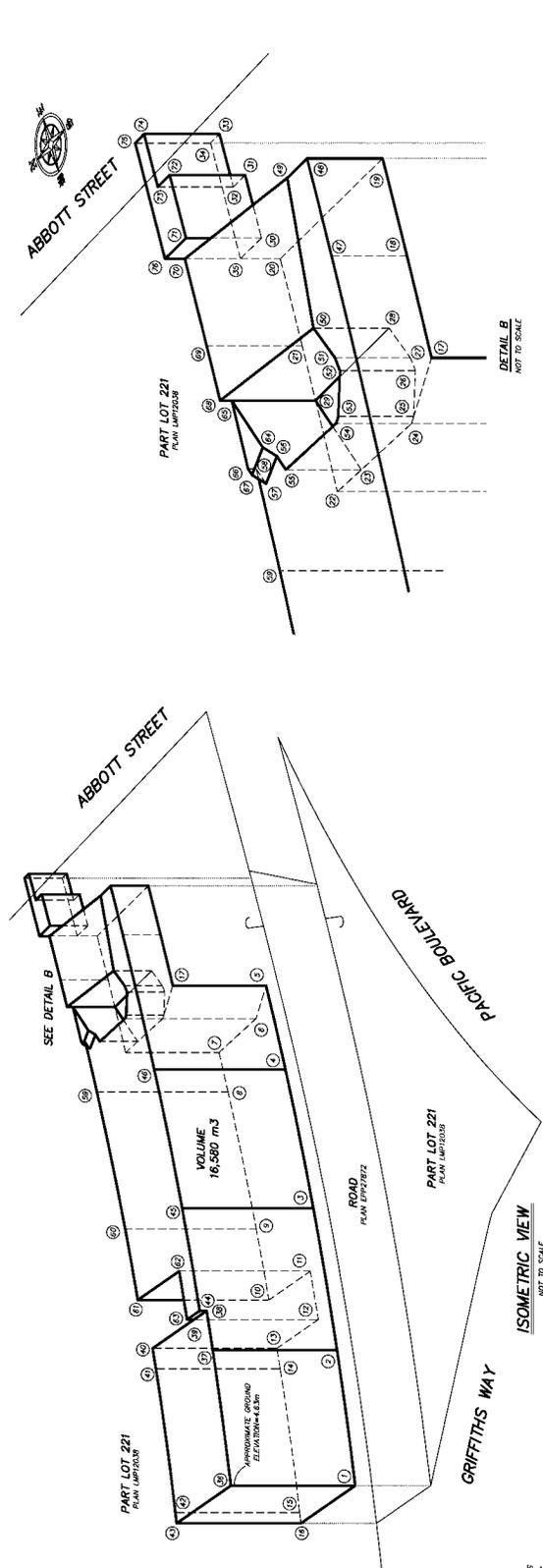
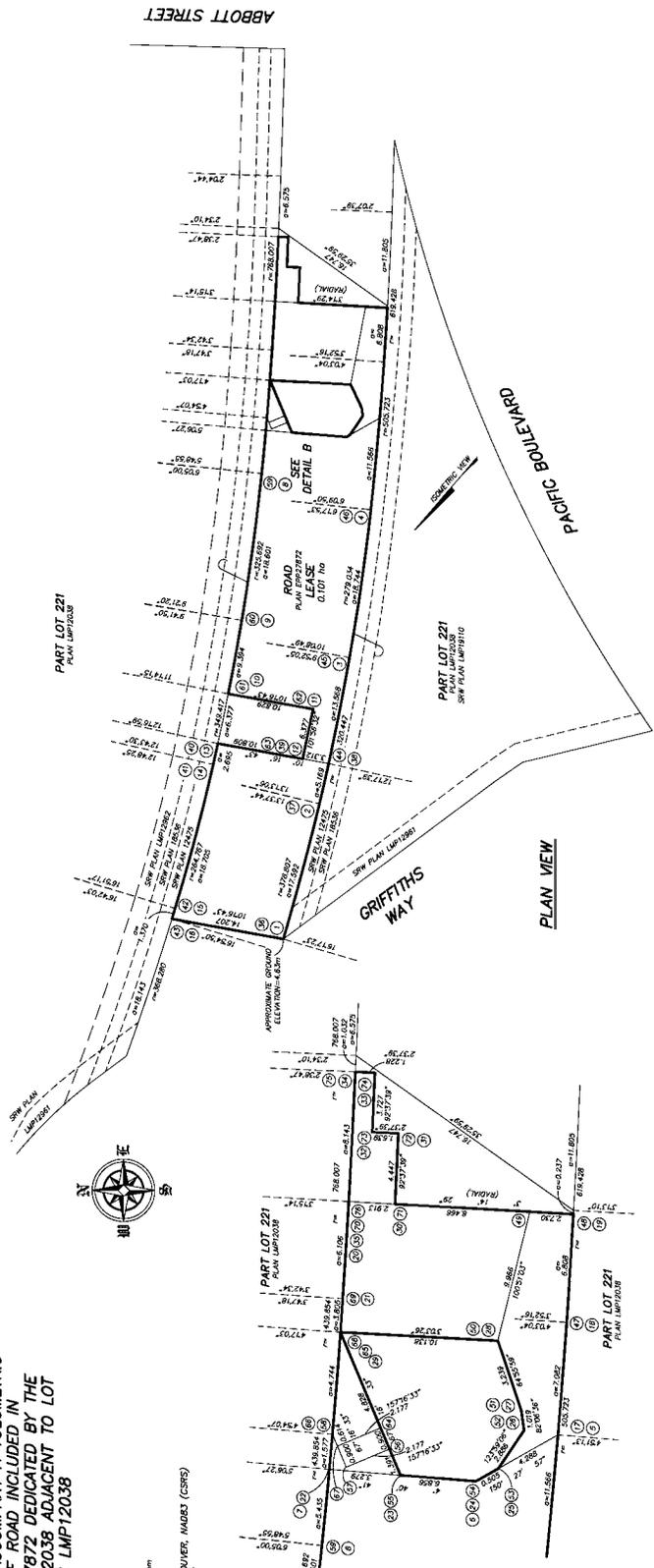
BCOS 926.025

SCALE 1:300 DISTANCES ARE IN METRES

THE INTERIOR PLAN SCALE OF THIS PLAN IS 1:500 WITH A WIDTH BY 500 mm IN HEIGHT TO 500 mm NOTED AT A SCALE OF 1:300. INTEGRATED SURVEY AREA NO. 31, VANCOUVER, MAJOR (CSRS) AND BOUNDARY ARE DERIVED FROM PLAN EPP27872

LEGEND

- NO. DENOTES METRES
- NO. DENOTES SQUARE METRES
- ELEVATION DERIVATION ELEVATIONS ARE DERIVED FROM CITY OF VANCOUVER'S ALTIMETRIC SURVEY NO. V-2729 MAJOR (CSRS) MAY 2005



POINT NO.	WORMING	EASTING	NORTHING
1	61477.622	5861.407	-11.00
2	61467.048	5876.461	-11.00
3	61466.859	5874.351	-11.00
4	61468.548	5776.817	-11.00
5	61475.817	5725.281	-11.00
6	61474.332	5719.871	-11.00
7	61475.817	5725.281	-11.00
8	61474.332	5719.871	-11.00
9	61475.817	5725.281	-11.00
10	61474.332	5719.871	-11.00
11	61467.048	5876.461	-11.00
12	61466.859	5874.351	-11.00
13	61468.548	5776.817	-11.00
14	61475.817	5725.281	-11.00
15	61474.332	5719.871	-11.00
16	61475.817	5725.281	-11.00
17	61474.332	5719.871	-11.00
18	61467.048	5876.461	-11.00
19	61466.859	5874.351	-11.00
20	61468.548	5776.817	-11.00
21	61475.817	5725.281	-11.00
22	61474.332	5719.871	-11.00
23	61475.817	5725.281	-11.00
24	61474.332	5719.871	-11.00
25	61467.048	5876.461	-11.00
26	61466.859	5874.351	-11.00
27	61468.548	5776.817	-11.00
28	61475.817	5725.281	-11.00
29	61474.332	5719.871	-11.00
30	61475.817	5725.281	-11.00
31	61474.332	5719.871	-11.00
32	61467.048	5876.461	-11.00
33	61466.859	5874.351	-11.00
34	61468.548	5776.817	-11.00
35	61475.817	5725.281	-11.00
36	61474.332	5719.871	-11.00
37	61475.817	5725.281	-11.00
38	61474.332	5719.871	-11.00
39	61467.048	5876.461	-11.00
40	61466.859	5874.351	-11.00
41	61468.548	5776.817	-11.00
42	61475.817	5725.281	-11.00
43	61474.332	5719.871	-11.00
44	61475.817	5725.281	-11.00
45	61474.332	5719.871	-11.00
46	61467.048	5876.461	-11.00
47	61466.859	5874.351	-11.00
48	61468.548	5776.817	-11.00
49	61475.817	5725.281	-11.00
50	61474.332	5719.871	-11.00
51	61475.817	5725.281	-11.00
52	61474.332	5719.871	-11.00
53	61467.048	5876.461	-11.00
54	61466.859	5874.351	-11.00
55	61468.548	5776.817	-11.00
56	61475.817	5725.281	-11.00
57	61474.332	5719.871	-11.00
58	61475.817	5725.281	-11.00
59	61474.332	5719.871	-11.00
60	61467.048	5876.461	-11.00
61	61466.859	5874.351	-11.00
62	61468.548	5776.817	-11.00
63	61475.817	5725.281	-11.00
64	61474.332	5719.871	-11.00
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66	61474.332	5719.871	-11.00
67	61467.048	5876.461	-11.00
68	61466.859	5874.351	-11.00
69	61468.548	5776.817	-11.00
70	61475.817	5725.281	-11.00
71	61474.332	5719.871	-11.00
72	61475.817	5725.281	-11.00
73	61474.332	5719.871	-11.00
74	61467.048	5876.461	-11.00
75	61466.859	5874.351	-11.00
76	61468.548	5776.817	-11.00

BUTLER & SUNDBECK
 1100 WEST 10TH AVENUE
 VANCOUVER, BC V6H 2Y6
 TEL: 604-273-3801
 FAX: 604-273-3802

DRAFT FEBRUARY 04, 2013
 THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT
 ASSESSMENT, BCS (880)

TERMS AND CONDITIONS

1. That the lease be granted to PCA as the owner of proposed abutting Lot 349 (the "Lessee").
2. The lease to contain arrangements for shared driveway access for parking and loading between proposed Lot 348 and Lot 349 to the satisfaction of the General Manager of Engineering Services ("GMES") and the Director of Legal Services ("DLS").
3. The lease to contain a provision such that it may be terminated if the construction of the development on the Leased Premises, as approved under the Rogers Arena Rezoning has not been completed within 5 years from the commencement of the lease, or any extended period if consented to by the GMES in his sole discretion.
4. The purpose of the lease is to accommodate the development contemplated in the Rogers Arena Rezoning.
5. THAT the lease term to be for the lesser of; the end of life of any building constructed on proposed Lot 349, or 99 years;
6. The lease to permit the Lessee to sublease the area to others for the construction and operation of parking and parking access for the development proposed in the Rogers Arena Rezoning subject to City consent.
7. Upon completion by the Lessee of the installation and construction of the Parking Structure, as soon as practicable, the Lessee is to provide an as-built survey, prepared by a BC Land Surveyor, to verify that the Parking Structure is appropriately within the boundaries of the Lease Premises, and if necessary make arrangements to modify it such that it conforms to the boundaries of the Lease Premises or make alternative arrangements to provide new Reference Plans and modifications to the lease agreement to the satisfaction of the GMES and the DLS.
8. The Lessee is to maintain the Lease Premises to the satisfaction of the GMES and the Parking Structure must be internally drained.
9. Provision of a Support Agreement for the surrounding roads and viaduct structure in favour of the City to the satisfaction of the GMES and the DLS.
10. The lease to contain arrangements to the satisfaction of the GMES to permit conduit lines within the Parkade Structure for the existing fibre lines or other utility attachments currently attached to the underside of the Georgia Viaduct.
11. The lease to contain arrangements to the satisfaction of the GMES and the DLS for the City's right of entry to the Lease Premises to allow for temporary shoring within the Parkade Structure during viaduct demolition.
12. Provision of a letter of agreement to the satisfaction of the GMES and the DLS from PCA acknowledging and accepting seismic risk exposure from the Georgia Viaduct.

13. Provision of a detailed monitoring plan for shoring during the excavation of the site of the Georgia Viaduct to the satisfaction of the GMES will be required.
14. The lease to contain arrangements to the satisfaction of the GMES and the DLS for the City's rights of entry to the Lease Premises, without notice, for purposes of inspection, maintenance, repair and removal.
15. Upon expiry or termination of the lease the Lessee is responsible for the removal of the Parking Structure and the restoration of the Lease Premises to the satisfaction of the GMES.
16. The Lessee to provide releases and indemnities to the City as deemed appropriate by and in the form and contents satisfactory to the Director of Legal Services and insure the Leased Premises with insurance policies to the satisfaction of the Director of Risk Management.
17. No hazardous or flammable substances are to be stored within the Lease Premises.
18. The lease to contain such other terms and conditions satisfactory to the DLS, DRES and the GMES.
19. The Lessee to be responsible for all necessary plans, documents, and Land Title Office fees.
20. The lease agreement and any other agreements related to or which are to be entered into as conditions of granting the lease are to be on terms and conditions satisfactory to the DLS and the City Manager.
21. The DLS or the DRES, as applicable, be authorized to execute all plans, transfers, and documents as required.
22. No legal right or obligation shall be created and none shall arise hereafter, until the documents are executed by the parties thereto.

**SUBDIVISION PLAN OF LOT 221
FALSE CREEK PLAN LMP12038**

BCGS 926.023

SCALE 1 : 500 DISTANCES ARE IN METRES
THE INTENDED PLOT SCALE OF THIS PLAN IS 864 mm
PLotted BY AGRICULTURE OF PERSON (D SIZE) WHEN
INTEGRATED SURVEY AREA No. 31 (VANCOUVER)
MADRS (CSRS) CONTROL POINTS ARE SHOWN
WHERE APPROPRIATE TO COMPUTE GRID DISTANCES AND BEARING
GROUND-LEVEL DISTANCES BY CORRECTION FACTOR 0.9998012

LEGEND

- GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN CONTROL MONUMENTS V-374 AND V-384
- FOUND PLACED
- GRONDS CONTROL MONUMENT
- GRONDS LEAD PLACED
- GRONDS BOUNDARY MONUMENT
- GRONDS SQUARE METERS
- GRONDS HECTARES

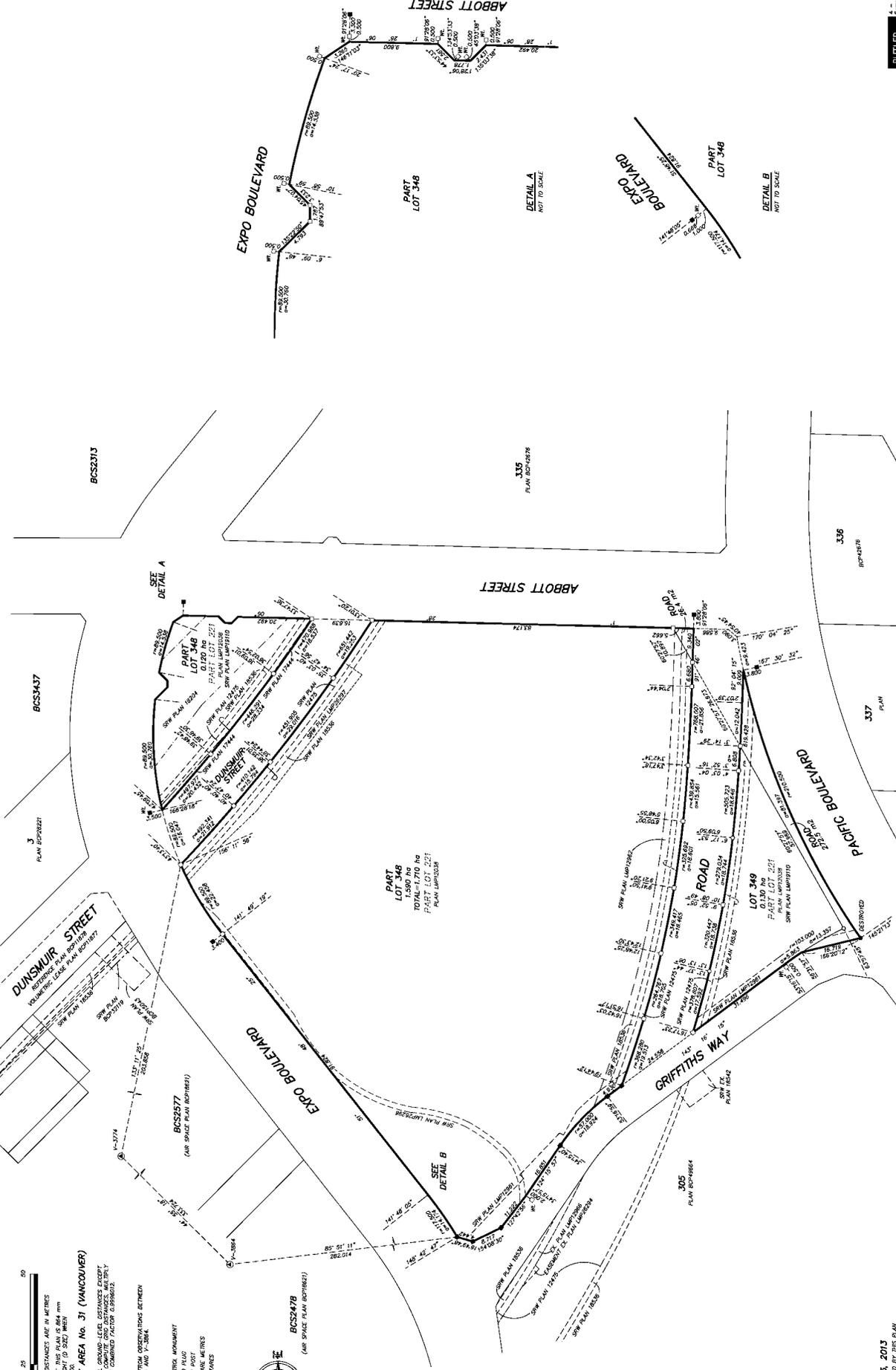


BCS2478
(AIR SPACE PLAN REFERENCE)

BCS2577
(AIR SPACE PLAN REFERENCE)

BCS3437
PLAN REFERENCE

BCS2313



EXPO BOULEVARD

PART LOT 348

DETAIL A
NOT TO SCALE

EXPO BOULEVARD

PART LOT 348

DETAIL B
NOT TO SCALE

ABBOTT STREET

PART LOT 348
1:580 Ha
PART LOT 221
PLAN LMP12038

PACIFIC BOULEVARD
280' R.O.D.

GRIFFITHS WAY

DUNSMUIR STREET
BOULEVARD (24.5M R.O.D.)
PLAN REFERENCE

DRAFT FEBRUARY 25, 2013
THE FIELD SURVEY REPRESENTED BY THIS PLAN
WAS COMPLETED ON THE 26th DAY OF
FEBRUARY, 2012

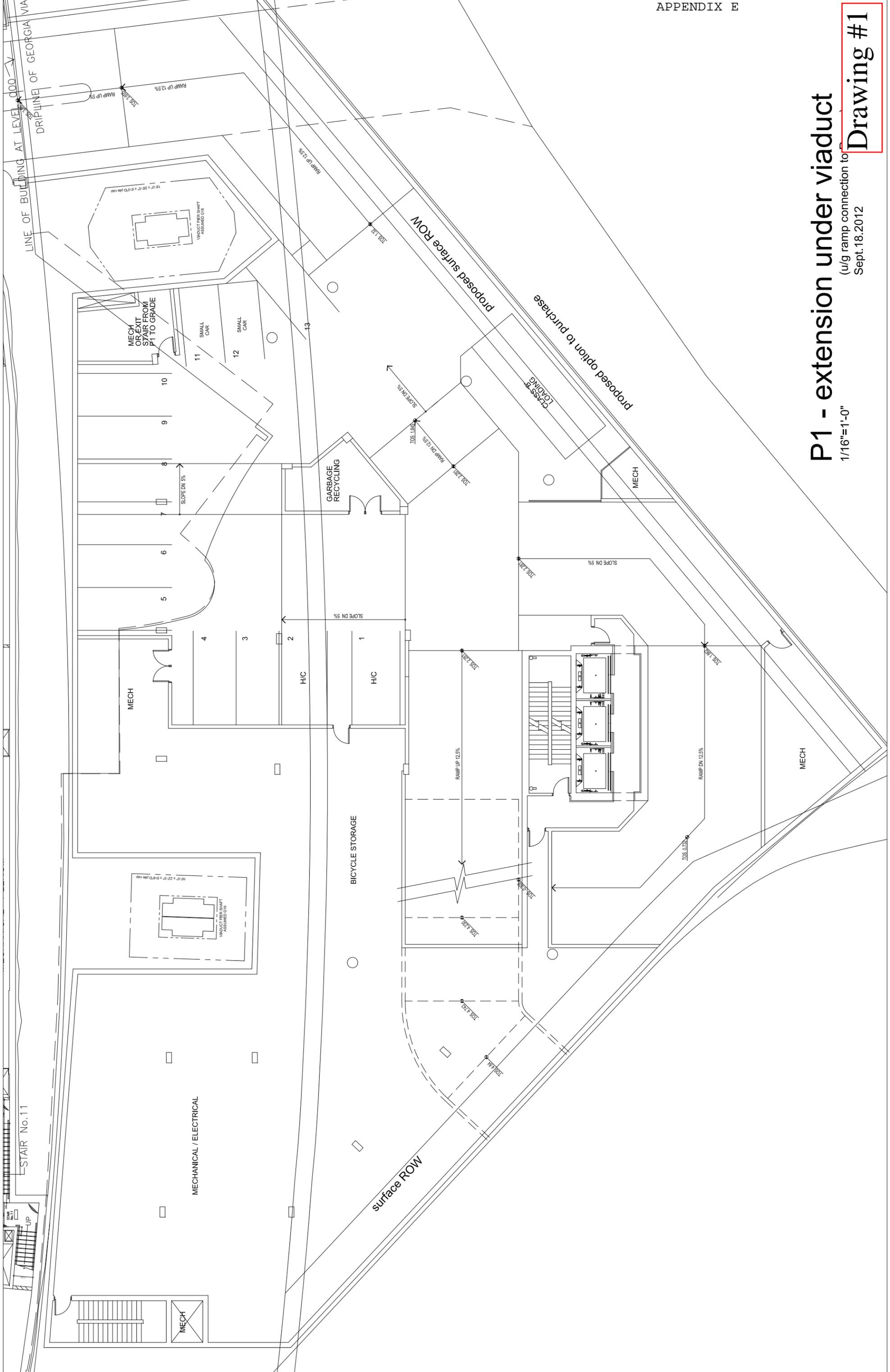
THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT

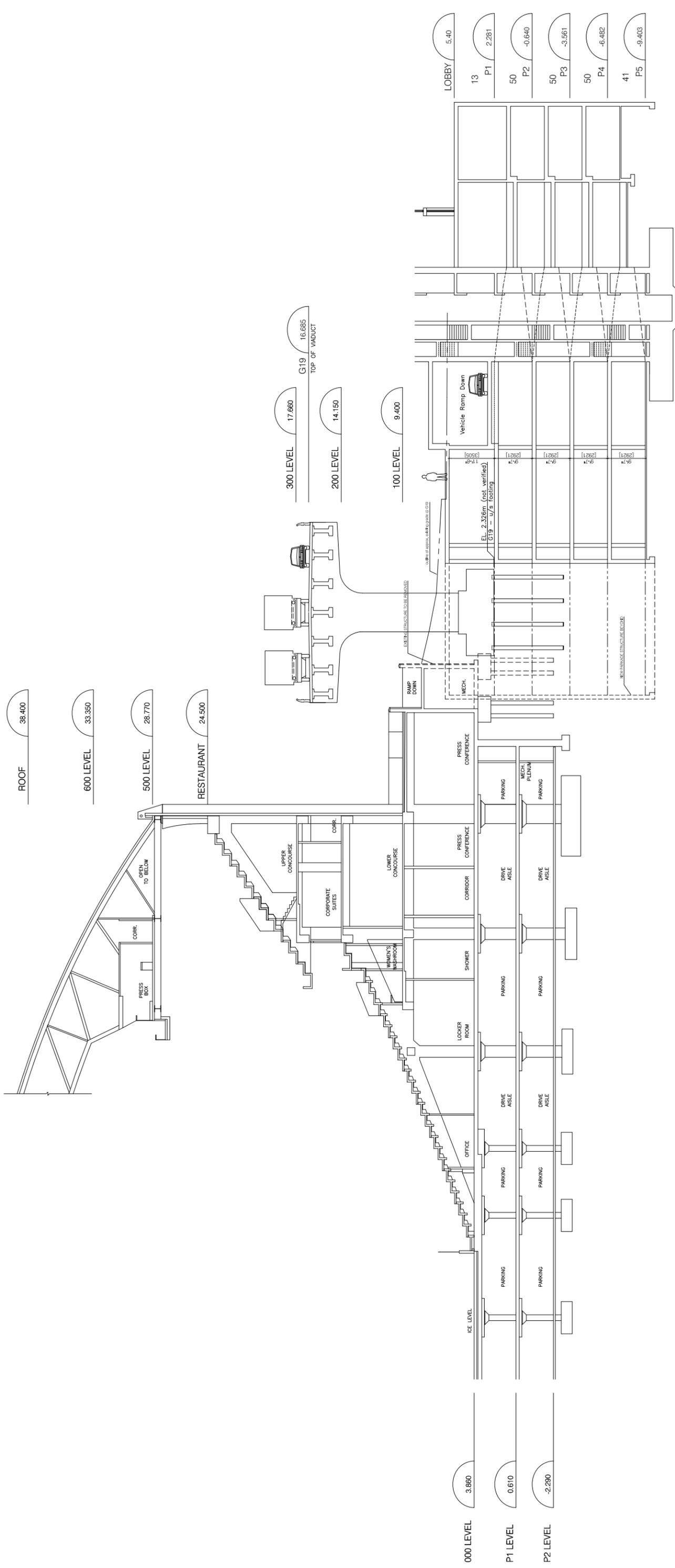
BUTLER
SUNSVICK
11888 Ave. SW
Surrey, BC, V4W 3S4
Tel: 604-335-9811
Fax: 604-335-9811

P1 - extension under viaduct

(u/g ramp connection to
Sept. 18, 2012

1/16"=1'-0"





Rogers Arena - South Tower Underground Parking Adjacent Viaduct Pier G19
 Section Cut Longitudinally thru C/L G19

3/32"=1'-0"