



ADMINISTRATIVE REPORT

Report Date: May 16, 2013
Contact: Al Zacharias
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RTS No.: 10133
VanRIMS No.: 08-2000-20
Meeting Date: June 11, 2013

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 South of Ferndale Street, Adjacent to 2050 Ferndale Street

RECOMMENDATION

- A. THAT Council close, stop-up and convey to the owner of 2050 Ferndale Street (legally described as [PID: 010-901-949] Lot A of Lot 12 Block 49 District Lot 184 Plan 6359 (hereinafter, "Lot A")), that approximately 297 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 \$21,500.00, subject to the terms and conditions noted in Appendix "A".
- B. THAT the sale proceeds of \$21,500.00 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 adjacent to Lot A will be before Council later this day for approval.

REPORT SUMMARY

As the Lane Portion has been deemed surplus of civic needs, this report seeks Council authority to close, stop-up and convey the Lane Portion to the owner of 2050 Ferndale Street.

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.

Turner, Ferndale and Pender Streets Subdivision and Lane Policies, adopted by Council on June 12, 1979.

On May 1, 2012, Council approved the recommendation as contained in the Administrative Report (RTS 9591) for the Closure and Sale of a Portion of Lane North of Turner Street, Adjacent to 2049 Turner Street, that the owner of 2050 Ferndale Street shall have the right to purchase the ("Remainder") Lane Portion, at a price of \$21,500.00 for a period of six (6) months.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

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

REPORT

Background/Context

The existing unopened 6 foot by 49.5 foot portion of lane adjacent to 2050 Ferndale Street was dedicated to the City upon registration of Plan 6359 in August, 1931, and has never been opened and constructed. The owner of Lot A at 2050 Ferndale Street has made application to purchase the Lane Portion.

The Lane Portion is presently unoccupied and is in use as part of the rear yard area for Lot A; no new development has been proposed for Lot A at this time.

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

Engineering Services review of this matter, in consultation with the Director of Real Estate Services, has concluded that the 6 foot by 49.5 foot Lane Portion is not required for civic purposes. The Lane Portion has been occupied and used exclusively by the owner of Lot A for many years. The closure and sale of the Lane Portion is consistent with the Turner, Ferndale and Pender Streets Subdivision and Lane Policies, which state, in part, that "existing east-west lane allowances (can) be sold to abutting property owners".

In accordance with the above-noted May 2012 Council decision, the Director of Real Estate Services has negotiated a sale of the Lane Portion to the owner of Lot A for \$21,500 plus applicable taxes. Although it is now more than six (6) months since the Council decision, the Director of Real Estate Services advises that the sale price of \$21,500 represents fair and current market value for the Lane Portion to be conveyed. The owner of Lot A will be responsible for all costs, plans, documents and Land Title Office fees required to complete the conveyance.

Implications/Related Issues/Risk (if applicable)

Financial

The sale proceeds of \$21,500.00 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 this 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 public green space, childcare, or affordable housing, and therefore recommends the sale of the surplus land to the abutting property owner.

* * * * *

1. The Lane Portion to be closed is to be consolidated with Lot A 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 A to pay \$21,500 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 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.

APPENDIX B



SEMLIN DRIVE

FERNDALE ST

2004	A N1/2	2010	B N1/2	2016	C N1/2	2024	D N1/2	2030	E N1/2	2040	F N1/2	2050	A PLAN	2080	A PLAN	2090	A PLAN
												49.5 6359	49.5 6359	5409	46449		
PROPOSED LANE CLOSURE ("Lane Portion") 27.6m ² (297 sq.ft.)													60	66			
A S1/2 PLAN	B S1/2 2011	C S1/2 2017	D S1/2 2023	E S1/2 2029	F S1/2 2039	1 50826 BCP 49.5 2049		DL H 2073	184 B PLAN 2081	B BCP 2087							

TURNER ST

LAKWOOD DRIVE

ALL DISTANCES ARE IN FEET
PBN, MAP T-9

ENGINEERING SERVICES
JULY 17, 2012