



ADMINISTRATIVE REPORT

Report Date: June 4, 2013
Contact: Al Zacharias
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RTS No.: 10160
VanRIMS No.: 08-2000-20
Meeting Date: June 25, 2013

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 3795 Commercial Street

RECOMMENDATION

- A. THAT Council close, stop-up and convey to the owner of 3795 Commercial Street (legally described as [PID:011-238-640] Lot 59, Except the East 7 Feet, Now Road, District Lot 744 Plan 5111 (hereinafter, "Lot 59")), that approximately 228 square foot portion of abutting road being: [PID:011-238-097] The East 7 Feet of Lot 59 District Lot 744 Plan 5111 (hereinafter, the "Road Portion"), the same as generally shown hatched on the plan attached as Appendix "A", subject to the terms and conditions noted in Appendix "B".
- B. THAT the sale proceeds of \$45,000.00 be credited to the Property Endowment Fund (PEF).

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

REPORT SUMMARY

As the Road Portion has been determined to be surplus of civic needs, this report seeks Council authority to close, stop-up and convey the Road Portion to the owner of 3795 Commercial 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 proceeds credited to the PEF.

On July 11, 2006, Council approved the recommendation as contained in the Administrative Report (RTS6083) for the Closure of a Portion of Road East of 3715 Commercial Street, to close, stop-up and convey a 7 foot wide portion of road to the abutting owner of 3715 Commercial Street.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

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

REPORT

Background/Context

The prospective purchaser of Lot 59 at 3795 Commercial Street has made application to purchase the abutting Road Portion.

The Road Portion to be closed was established as road by Council Resolution in 1944, and presently functions as the front yard/boulevard area adjacent to Lot 59.

In accordance with Development Application No. DE416794, the purchaser of Lot 59 intends to redevelop Lot 59, together with the Road Portion, with a new commercial/residential building, containing nine (9) dwelling units and an at-grade commercial unit.

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

The Commercial Street road allowance adjacent to Lot 59 is 73 feet in width, which exceeds the City standard of 66 feet. An Engineering Services review of this matter has concluded that the Road Portion is not required for civic purposes.

The Director of Real Estate Services has negotiated a sale of the Road Portion for \$45,000 plus applicable taxes. The Director of Real Estate Services advises that the sale price represents fair market value for the Road Portion to be conveyed. The owner of Lot 59 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 \$45,000 will be credited to the PEF.

CONCLUSION

The General Manager of Engineering Services, in consultation with the Director of Real Estate Services, has determined that this Road Portion is surplus of 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.

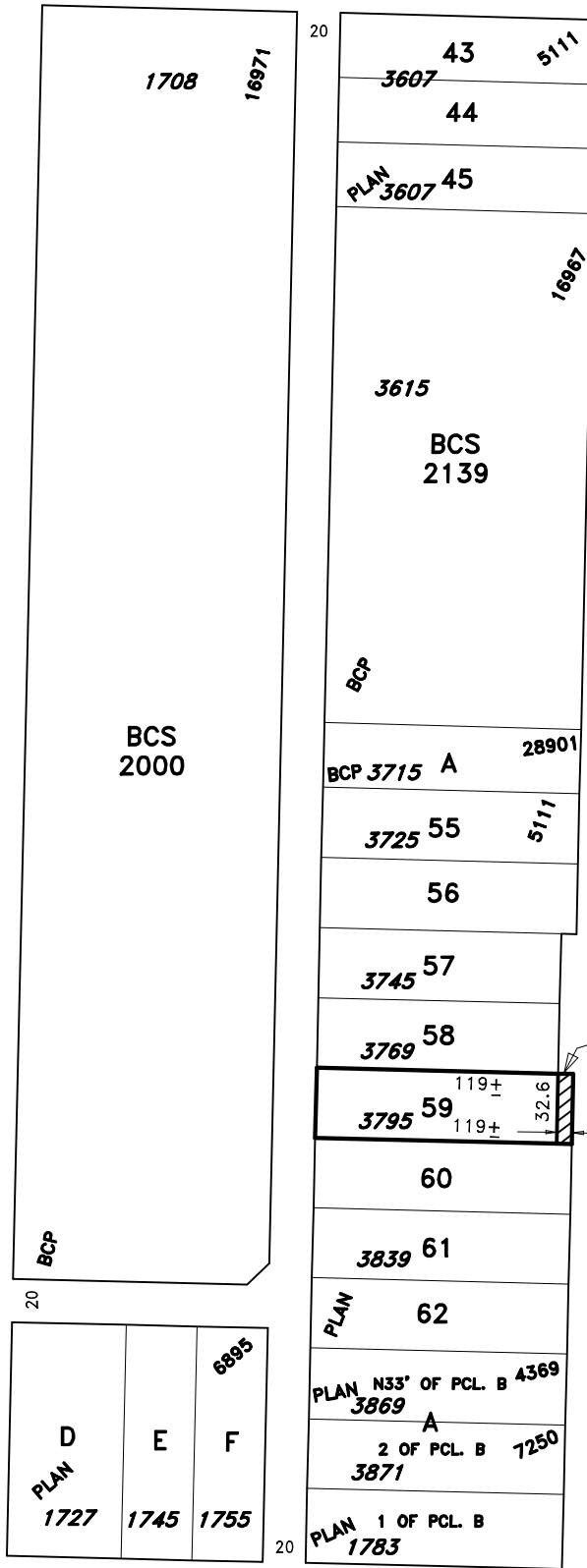
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APPENDIX A

E 20TH AV



WELWYN ST



PROPOSED ROAD CLOSURE
21.2m (228 sq.ft.)

E 22ND AV

ALL DISTANCES ARE IN FEET
PBN, MAP S-15

ENGINEERING SERVICES
MAY 22, 2013

1. The Road Portion to be closed is to be consolidated with Lot 59 to form a single parcel, the same as generally shown within the heavy outline of Appendix A, to the satisfaction of the Director of Legal Services;
2. The abutting owner of Lot 59 to pay \$45,000 plus applicable taxes for the Road Portion, in accordance with the recommendation of the Director of Real Estate Services;
3. The abutting owner to be responsible for all necessary 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.