



ADMINISTRATIVE REPORT

Report Date: January 6, 2014
Contact: Al Zacharias
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VanRIMS No.: 08-2000-20
Meeting Date: February 4, 2014

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 Road Adjacent to 2408 East 49th Avenue

RECOMMENDATION

- A. THAT Council close, stop-up and convey to the owner of 2408 East 49th Avenue (legally described as [PID: 013-624-938] Lot 1 of Lot B Block 3 South West ¼ of District Lot 336 Plan 2580 (hereinafter, "Lot 1")), that 26.2 square metre portion of abutting road (the "Road Portion"), the same as generally shown hatched on the plan attached as Appendix "B", subject to the terms and conditions noted in Appendix "A".
- B. THAT the sale proceeds of \$38,800 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

This report seeks Council authority to close, stop-up and convey the Road Portion to the owner of 2408 East 49th Avenue.

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 (“GMES”) and the General Manager of Real Estate and Facilities Management recommend approval of the foregoing.

REPORT

Background/Context

In 1956, 49TH Avenue east of Nanaimo Street was widened to 80 feet, with a curved transition to the north in order to align with 49th Avenue west of Nanaimo Street. The re-alignment created surplus road allowance on the south side of 49th Avenue between Nanaimo Street and just east of Berkeley Street. In 1963, most of the surplus road was closed and sold to the abutting owners, but a portion of surplus road - i.e. the Road Portion - remains adjacent to 2408 East 49th Avenue.

The Road Portion presently functions as part of the grassed boulevard area adjacent to Lot 1 as shown on the aerial photo attached as Appendix “C”. The owner of Lot 1 has applied to purchase the Road Portion.

In deeming streets or lanes surplus and available for sale to the abutting property owner, the GMES ensures that the property is not required or suitable for:

- Transportation improvements for all modes;
- Greenest City initiatives such as mini parks, community gardens, or EV charging stations;
- Infrastructure benefiting the public; and

consults with the Director of Real Estate Services to ensure that 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 has concluded that the 26.2 square metre Road Portion is not required for civic purposes. The size and configuration of the Road Portion to be closed is consistent with existing road geometry at this location, and an 80 foot-wide road width will be maintained adjacent to Lot 1.

The Director of Real Estate Services has negotiated a sale of the Road Portion for \$38,800 plus applicable taxes. The Director of Real Estate Services advises that the sale price of \$38,800 represents fair market value for the Road Portion to be conveyed to the Lot 1 owner. The owner of Lot 1 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 General Manager of Real Estate and Facilities Management recommends a purchase price for the Road Portion of \$38,800. The sale proceeds of \$38,800 will be credited to the Property Endowment Fund.



CONCLUSION

The General Manager of Engineering Services, in consultation with the Director of Real Estate Services, recommends approval of the Recommendations contained in this report.

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1. The Road Portion to be closed is to be consolidated with Lot 1 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 1 to pay \$38,800 plus applicable taxes for the Road Portion, in accordance with the recommendation of the Director of Real Estate Services;
3. The abutting owner to enter into a "support" agreement with the City for registration on the title of the consolidated parcel, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services, such that the abutting owner will be responsible for the continuing provision of support for the lands abutting East 49th Avenue at this location;
4. The abutting owner to be responsible for all necessary survey plans, documents, and Land Title Office fees;
5. The Director of Legal Services or the Director of Real Estate Services, as applicable, to execute all plans, transfers, and documents as required;
6. Any agreements are to be drawn to the satisfaction of the Director of Legal Services;
7. 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.



	<p>CITY OF VANCOUVER ENGINEERING SERVICES</p> <p>THE CITY OF VANCOUVER ASSUMES NO RESPONSIBILITY FOR THE CORRECTNESS OF INFORMATION SHOWN ON THIS MAP</p>		<p>SCALE</p> <p>N.T.S.</p>	<p>DATE</p> <p>JAN 14, 2014</p>	<p>2408 EAST 49TH AVE (ROAD BUYBACK)</p> <p>THIS DIGITAL MAP WAS PRODUCED BY THE LAND SURVEY BRANCH</p>
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SUBJECT SITE



2408 EAST 49TH AVE (ROAD CLOSURE & SALE)

DATE
JAN 15, 2014



SCALE
N.T.S.



**CITY OF VANCOUVER
ENGINEERING SERVICES**
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APPENDIX E

