



ADMINISTRATIVE REPORT

Report Date: December 9, 2013
Contact: Al Zacharias
Contact No.: 604.873.7214
RTS No.: 10390
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: East Fraser Lands Area 1 - CP Rail Road Exchange (Cromwell Street)

RECOMMENDATION

- A. THAT Council close, stop-up and convey to the owner of PID: 024-297-429; Lot 61A Explanatory Plan 6270 Blocks 24 to 29 District Lot 331 Group 1 New Westminster District Plan 1477 (Canadian Pacific Railway Company ("CPR")) those 10.4m² and 244.2m² portions of Cromwell Street all as generally shown hatched on the plan attached as Appendix "B" (the "Old Road"), to be consolidated with said abutting Lot 61A.
- B. THAT Council authorize the Director of Legal Services in consultation with the General Manager of Engineering Services to enter into such agreements as are required to transfer to the City, and to establish as road that 275.5m² portion of PID: 015-304-647; That Part of Block 18 Shown Coloured Red on Reference Plan 20 District Lots 330 and 331 Plan 455, the same as generally shown within bold outline on the plan attached as Appendix "B" (the "New Road").
- C. The Old Road to be exchanged for the New Road on an equivalent as-is "land value for land value" basis with no monies changing hands.
- D. The exchange to be subject to the terms and conditions as noted in Appendix "A".

If Council approves the above recommendations, the Formal Resolution to close the Old Road and to establish the New Road will be before Council later this day for approval.

REPORT SUMMARY

The purpose of this report is to obtain the Council authorities required to exchange the Old Road for the New Road in order to re-align Cromwell Street where it crosses the CPR track within East Fraser Lands ("EFL") Area 1 such that its alignment is consistent with the design guidelines for EFL.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

The authorities for closing and disposing of streets and lanes, and for establishing streets and lanes are set out in the Vancouver Charter.

On September 16, 2008, City Council approved in principle, the rezoning of EFL Area 1 subject to conditions, including but not limited to, arrangements such that "One of the vehicular crossings shall maintain the City's seniority and be a dedicated crossing....".

Council approved the closure and sale (to Park Lane) of other roads in EFL Area 1 on November 5, 2013 in support of the EFL Area 1 subdivision and rezoning enactment.

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

The ODP for East Fraser Lands calls for a re-configuration of the old street network to reflect current City transportation and public access objectives. The central street within the Waterfront and Town Square Precincts of EFL Area 1 is informally named "High Street". The current alignment of Cromwell Street does not align entirely with the proposed location for High Street.

The provision of a fully owned road allowance across the CPR lands is a requirement of the EFL Area 1 subdivision, and also a requirement of the EFL Area 1 rezoning enactment since the City needs secure tenure over the central access route across the railway tracks. The draft subdivision plan attached as Appendix "C" shows the road network that results from the EFL Area 1 subdivision and this proposed CP Rail road exchange with the High Street rail crossing area shown within the clouded outline.

CPR has entered into a Land Exchange Contract with the City for the exchange of the Old Road for the New Road. Arrangements for the railway crossing agreement with CPR and the requisite Canadian Transportation Agency board order are underway as other conditions of the rezoning enactment.

Park Lane River District Developments Ltd. ("Park Lane"), as proponents of EFL Area 1 rezoning will be responsible for the de-commissioning of the Old Road including any required utility relocations and also for all survey plans, documents, and Land Title Office fees. The construction of the road across the railway will be completed by Park Lane under the EFL Area 1 servicing arrangements.

Strategic Analysis

The realignment of Cromwell Street to the proposed alignment of High Street is consistent with the ODP and the proposed rezoning for EFL Area 1 Town Square, and Waterfront Precincts. This exchange will provide the City with secure tenure over the central street within EFL and access to the development lands south of the railway.

The General Manager of Engineering Services has determined that, subject to the provision of the New Road to the City, the Old Road is available for exchange with CPR.

Implications/Related Issues/Risk (if applicable)

Financial

The Director of Real Estate Services recommends that the proposed exchange of the Old Road for the New Road be based on an equivalent "land value for land value" basis. With the proposed exchange, the City will receive a net gain in road area and secure a City-owned access route to the Waterfront Precinct of EFL south of the railway. Park Lane will be responsible for the decommissioning of the Old Road and the construction of the New Road under services agreements with the City.

Environmental

Environmental documentation for the New Road indicates that the potential for contamination is low. Although subsurface environmental investigation has not been conducted specifically for the New Road the surrounding lands meet City standards and have received either Certificates of Compliance or Determinations from the BC Ministry of Environment indicating the land is not contaminated. As both the Old Road and the New Road have been and will continue to be rail lines the as-is road exchange does not present an increased risk to the City.

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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TERMS AND CONDITIONS

1. The conveyances are to be completed concurrently, with neither conveyance completing independently of the other.
2. The Old Road is to be consolidated, to the satisfaction of the Director of Legal Services and the General Manager of Engineering Services with PID: 024-297-429; Lot 61A Explanatory Plan 6270 Blocks 24 to 29 District Lot 331 Group 1 New Westminster District Plan 1477.
3. Park Lane to be responsible for the re-location of any utilities within the Old Road.
4. Park Lane to be responsible for all necessary 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 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.

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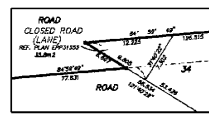
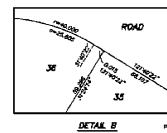
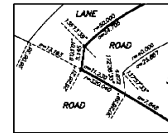
**PROPOSED SUBDIVISION PLAN OF PARTS OF DISTRICT LOTS 330 AND 331
GROUP 1 NEW WESTMINSTER DISTRICT**

BOOK 3026/025
SCALE 1 : 1000 DISTANCES ARE IN METERS
THE UNDATED PART SCALE OF THIS PLAN IS 1:500 AND
IS NOT BY THIS PLAN. IT IS A PART OF THE 1:500 MAP
PLOTTED AT A SCALE OF 1:1000.

INTEGRATED SURVEY AREA NO. 31 (VANCOUVER)
MADBY/CSRS (2005)
THE PLAN SHOWS METROPOLITAN, URHO-LEVEL, DISTRICT, STREET
CORNER, DISTRICT, TO CORNER, TO CORNER, DISTRICT, CORNER, OF
STREETS WHICH HAVE BEEN DERIVED FROM CONTROL MONUMENTS
PLACED AND TYPED.

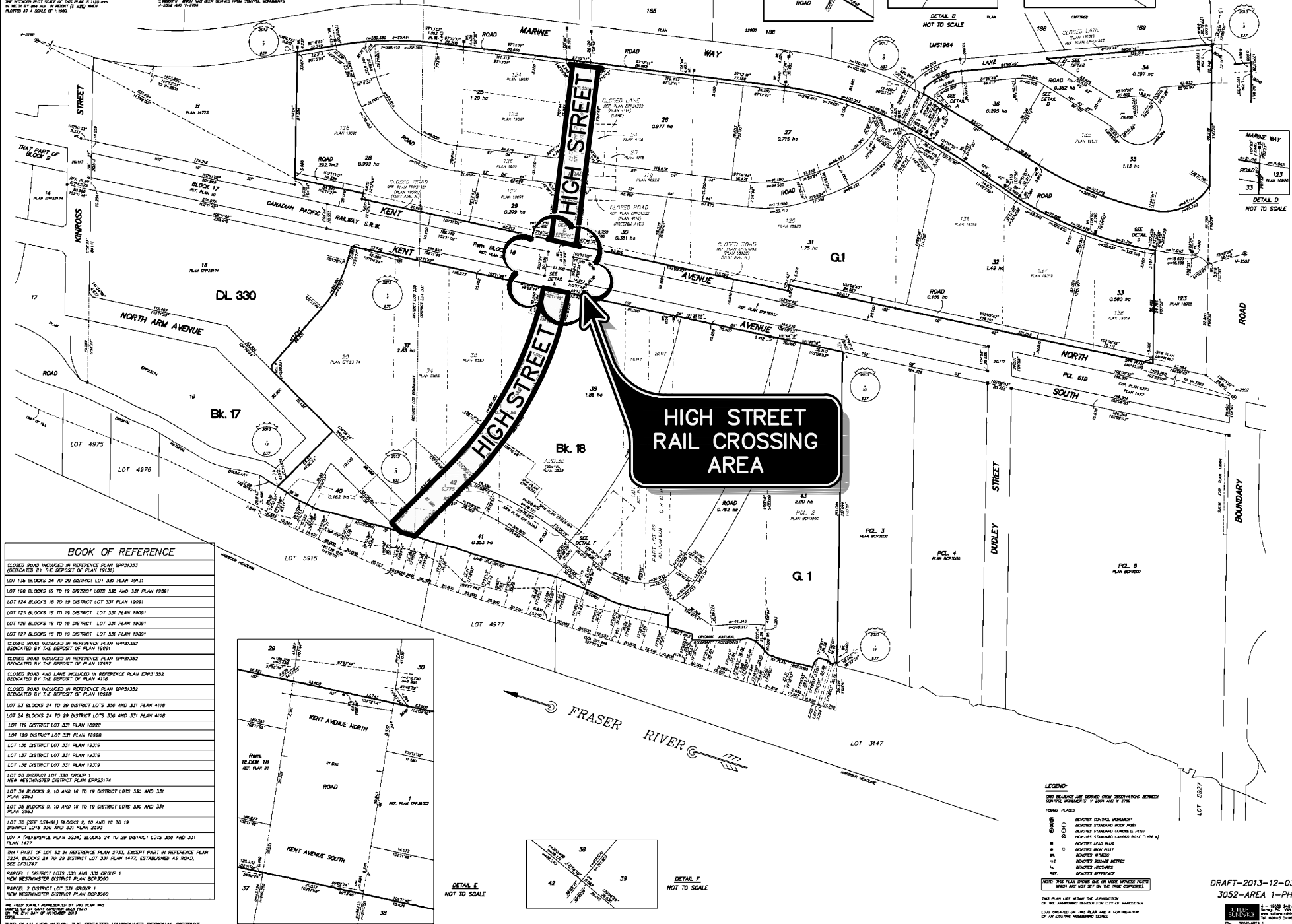


DETAIL A
NOT TO SCALE



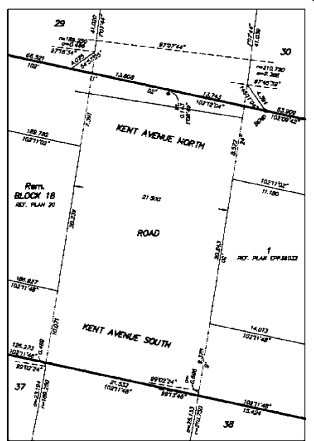
DETAIL C
NOT TO SCALE

PLAN EPP31354

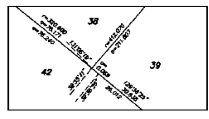


BOOK OF REFERENCE

CLOSED ROAD INCLUDED IN REFERENCE PLAN EPP31353 (DEDICATED BY THE DEPOSIT OF PLAN 19031)
LOT 126 BLOCKS 24 TO 29 DISTRICT LOT 331 PLAN 19031
LOT 128 BLOCKS 15 TO 19 DISTRICT LOTS 330 AND 331 PLAN 19041
LOT 124 BLOCKS 16 TO 19 DISTRICT LOT 331 PLAN 19031
LOT 125 BLOCKS 16 TO 19 DISTRICT LOT 331 PLAN 19031
LOT 126 BLOCKS 16 TO 19 DISTRICT LOT 331 PLAN 19031
LOT 127 BLOCKS 16 TO 19 DISTRICT LOT 331 PLAN 19031
12,000' ROAD INCLUDED IN REFERENCE PLAN EPP31352 (DEDICATED BY THE DEPOSIT OF PLAN 19091)
CLOSED ROAD INCLUDED IN REFERENCE PLAN EPP31352 (DEDICATED BY THE DEPOSIT OF PLAN 19091)
CLOSED ROAD AND LANE INCLUDED IN REFERENCE PLAN EPP31352 (DEDICATED BY THE DEPOSIT OF PLAN 418)
CLOSED ROAD INCLUDED IN REFERENCE PLAN EPP31352 (DEDICATED BY THE DEPOSIT OF PLAN 19038)
LOT 23 BLOCKS 24 TO 29 DISTRICT LOTS 330 AND 331 PLAN 4116
LOT 24 BLOCKS 24 TO 29 DISTRICT LOTS 330 AND 331 PLAN 4116
LOT 116 DISTRICT LOT 331 PLAN 16628
LOT 120 DISTRICT LOT 331 PLAN 16628
LOT 136 DISTRICT LOT 331 PLAN 16379
LOT 137 DISTRICT LOT 331 PLAN 16379
LOT 138 DISTRICT LOT 331 PLAN 16379
LOT 30 DISTRICT LOT 330 GROUP 1 NEW WESTMINSTER DISTRICT PLAN EPP25274
LOT 24 BLOCKS 9, 10 AND 16 TO 19 DISTRICT LOTS 330 AND 331 PLAN 2382
LOT 35 BLOCKS 9, 10 AND 16 TO 19 DISTRICT LOTS 330 AND 331 PLAN 2382
LOT 36 (SEE RESEAL) BLOCKS 9, 10 AND 16 TO 19 DISTRICT LOTS 330 AND 331 PLAN 2382
LOT 4 (REFERENCE PLAN 3224) BLOCKS 24 TO 29 DISTRICT LOTS 330 AND 331 PLAN 1427
THAT PART OF LOT 62 IN REFERENCE PLAN 2733, EXCEPT PART IN REFERENCE PLAN 3234, BLOCKS 24 TO 29 DISTRICT LOT 331 PLAN 1477, ESTABLISHED AS ROAD, SEE DISTRICT
PARCEL 1 DISTRICT LOTS 330 AND 331 GROUP 1 NEW WESTMINSTER DISTRICT PLAN BCP3900
PARCEL 3 DISTRICT LOT 331 GROUP 1 NEW WESTMINSTER DISTRICT PLAN BCP3900
THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS MADE BY JOHN GARDNER AND J. H. W. (1910) ON THE 21 ST DAY OF MARCH 1910.
THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT



DETAIL E
NOT TO SCALE

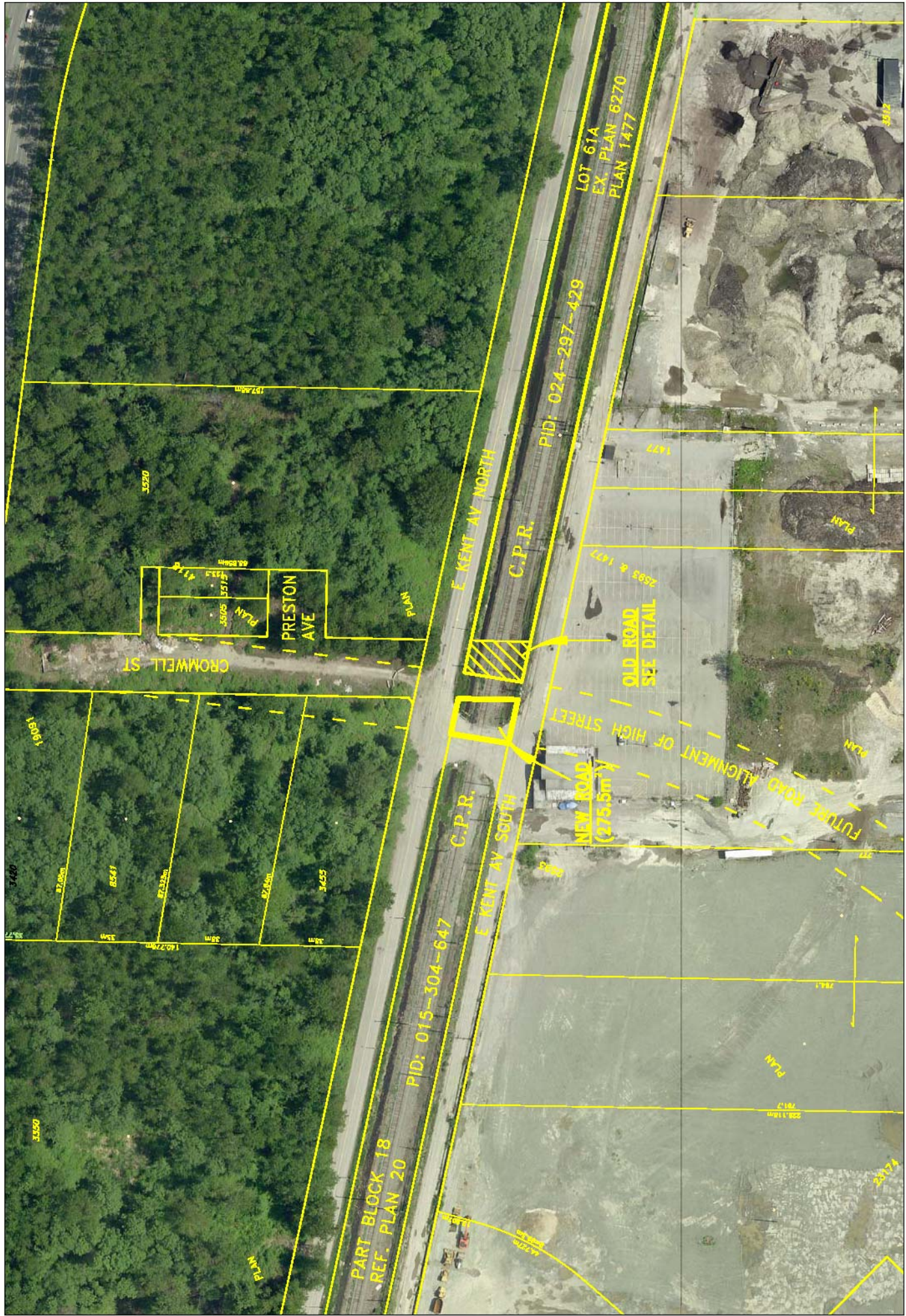


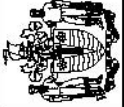


DETAIL F
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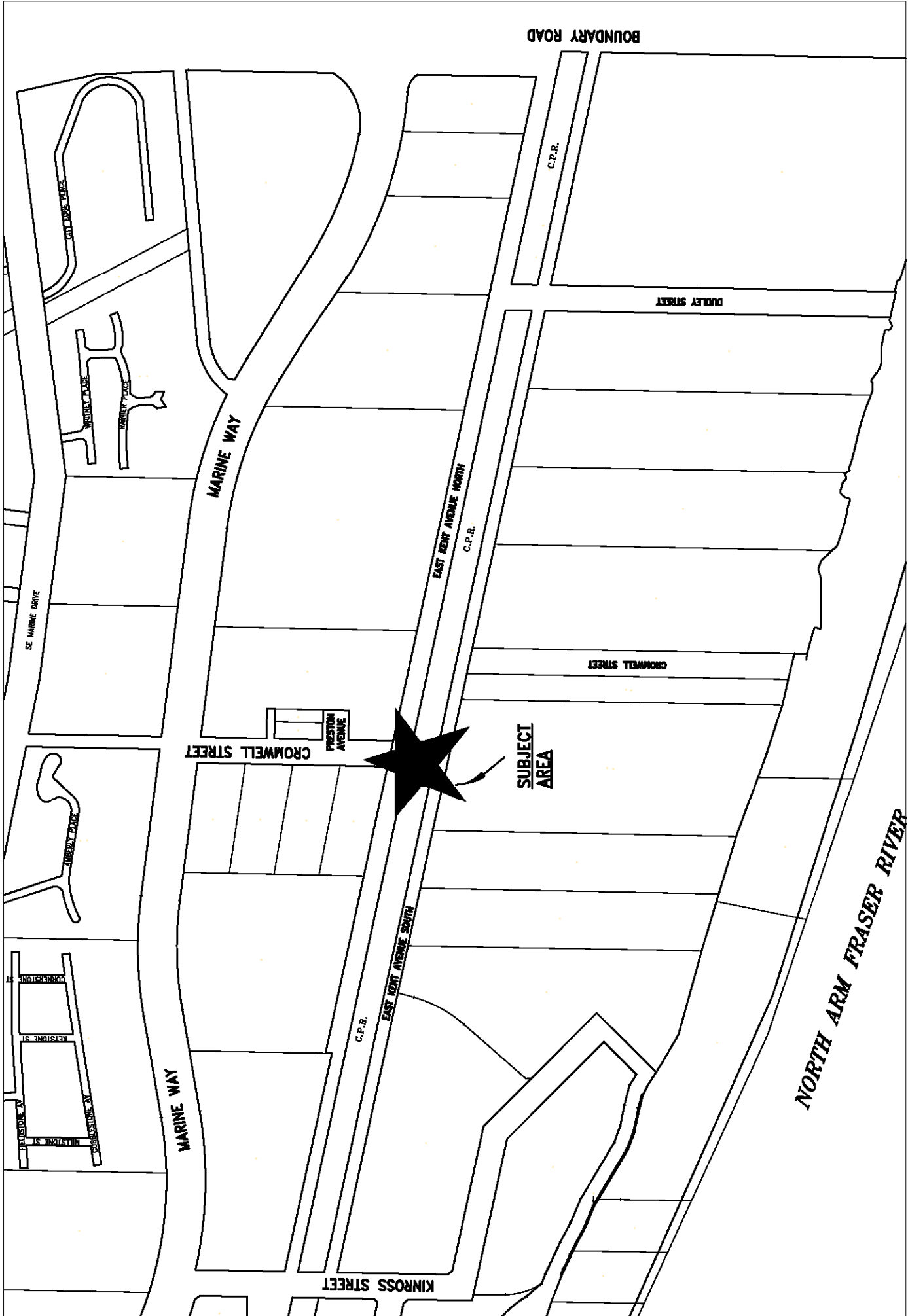
LEGEND:
ROAD BOUNDARIES ARE DERIVED FROM OBSERVATIONS BETWEEN CORNER MONUMENTS TO CORNER AND TO CORNER
FOUND PLACES:
● DENOTES CORNER MONUMENT
○ DENOTES STRANDED CORNER POST
○ DENOTES STRANDED CORNER'S POST
○ DENOTES STRANDED CORNER POST (TYPE 4)
○ DENOTES LEAD PILE
○ DENOTES SIGN POST
○ DENOTES WOODS
○ DENOTES SQUARE METRE
○ DENOTES INTERIOR
○ DENOTES DISTANCE
NOTE: THIS PLAN SHOWS ONE OR MORE WITNESS POINTS WHICH ARE NOT SET BY THE FIELD SURVEY
THIS PLAN LIES WITHIN THE JURISDICTION OF THE APPROVING OFFICE (CITY OF VANCOUVER)
LOTS CREATED ON THIS PLAN ARE A CONSEQUENCE OF AN EXISTING SUBDIVISION SERVICE

DRAFT-2013-12-03
3052-AREA 1-PH1

APPENDIX 'C'



	<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 21, 2014</p>	<p>EAST FRASER LANDS (CPR ROAD EXCHANGE)</p> <p>THIS DIGITAL MAP WAS PRODUCED BY THE LAND SURVEY BRANCH</p>
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EAST FRASER LANDS (ROAD EXCHANGE)

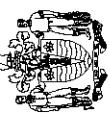
DATE
JAN 21, 2014



SCALE
N.T.S.



**CITY OF VANCOUVER
ENGINEERING SERVICES**
THE CITY OF VANCOUVER ASSUMES NO RESPONSIBILITY
FOR THE CORRECTNESS OF INFORMATION SHOWN ON THIS MAP



THIS DIGITAL MAP WAS PRODUCED BY THE LAND SURVEY BRANCH