



## ADMINISTRATIVE REPORT

Report Date: April 22, 2014  
Contact: Al Zacharias  
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VanRIMS No.: 08-2000-20  
Meeting Date: April 29, 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 Lane Adjacent to 8175 Cambie Street

### ***RECOMMENDATION***

- A. THAT Council close, stop-up and convey to the owner of 8175 Cambie Street (legally described as [PID: 010-043-233] Amended Lot 7 (See 264256L), [PID: 010-042-636] Lot 11, and [PID: 006-190-626] Lot 12; All of Lot X Blocks 1 and 2 Plan 8548; and [PID: 006-645-283] Lot A Block X Plan 20305; All of District Lot 311 (collectively, the "Abutting Lands")), that 402.7 square metre portion of abutting lane (the "Old Lane"), 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 \$1,070,000 be credited to the Property Endowment Fund (PEF).

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

### ***REPORT SUMMARY***

This report seeks Council authority to close, stop-up and convey the Old Lane to the owner of the Abutting Lands.

### ***COUNCIL AUTHORITY/PREVIOUS DECISIONS***

The authority for closing and disposing of streets and lanes is set out in Sections 190, 291 and 291A of 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.

At Public Hearing on January 21, 2014, Council approved the rezoning of 8175 Cambie Street, subject to various By-law enactment conditions, including the closure and sale of the Old Lane (the "Rezoning").

### ***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 Old Lane is part of the existing lane within the subject block, which was dedicated to the City upon registration of Subdivision Plan 8548 in 1951.

The Abutting Lands owner has made application to purchase the Old Lane in conjunction with an application to rezone the site with a mixed use development consisting of two residential towers above a commercial/retail podium, and a three storey building with day care and community amenity space. The current lane alignment bisects the development site and relocation of the lane is therefore essential to the project. The closure and sale of the Old Lane, and the dedication of a new lane and outlet to Lord Street, have been established as prior-to enactment conditions of the Rezoning of 8175 Cambie Street.

#### ***Strategic Analysis***

The creation of a new lane configuration in this block is essential to the Rezoning application and is consistent with the corresponding development proposal. The new lane portion and outlet to Lord Street will accommodate relocated utilities, as necessary, and will provide suitable access to the development site and the remainder of the block. An Engineering Services review of this matter has concluded that the Old Lane is surplus and available for sale to the Abutting Lands owner, subject to creation of the new lane portion and other conditions noted in this report.

The owner of the Abutting Lands will be responsible for all costs, plans, document and Land Title Office fees required to complete the conveyance. The conveyance of the Old Lane to the owner of the Abutting Lands will be completed concurrently with the registration at the Land Title Office of all documents required to effect the Rezoning. Staff will take steps to ensure that the Old Lane is not conveyed to the Abutting Lands owner unless the Rezoning also proceeds, and that the Rezoning does not proceed unless the Old Lane is conveyed to the Abutting Lands owner.

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*Implications/Related Issues/Risk (if applicable)**Financial*

The Director of Real Estate Services has negotiated a sale of the Old Lane for \$1,070,000 plus applicable taxes, of which a deposit of \$10,000 has already been paid to the City. The Director of Real Estate Services advises that the sale price represents fair market value for the Old Lane to be conveyed to the Abutting Lands owner. The sale proceeds of \$1,070,000 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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TERMS AND CONDITIONS OF CONVEYANCE

1. The Old Lane to be closed is to be subdivided with the Abutting Lands to create a single parcel, and new road and lane portions as required pursuant to the Rezoning prior to enactment conditions, the same as generally shown within the heavy outline of Appendix B, to the satisfaction of the Director of Legal Services and the Approving Officer;
2. Dedication of the north 6.096 metres (20.0 feet), as a minimum, of subject Lot 12 to the City for lane purposes;
3. Registration of a temporary Statutory Right of Way agreement over the Old Lane for public utility purposes, to be discharged upon abandonment and/or relocation of all existing utilities within the Old Lane;
4. Registration of a surface SRW adjacent to the southerly limit of the new east-west lane portion, as a turning bulge for vehicle manoeuvring;
5. Submission of written consents to the proposed lane closure from affected utility companies, and confirmation of arrangements to address associated utility relocations and site servicing requirements;
6. The Abutting Lands owner to pay \$1,070,000 plus applicable taxes for the Old Lane, in accordance with the recommendation of the Director of Real Estate Services;
7. The Abutting Lands owner to be responsible for all necessary plans, documents, and Land Title office fees;
8. The Director of Legal Services or the Director of Real Estate Services, as applicable, to execute all plans, transfers, and documents as required;
9. Any agreements are to be drawn to the satisfaction of the Director of Legal Services;
10. 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.









