



## ADMINISTRATIVE REPORT

Report Date: April 4, 2019  
Contact: Al Zacharias  
Contact No.: 604.873.7214  
RTS No.: 13038  
VanRIMS No.: 08-2000-20  
Meeting Date: April 23, 2019

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 2631 to 2685 Victoria Drive and 1837 to 1853 East 11th Avenue

### **RECOMMENDATION**

- A. THAT Council close, stop-up and convey to the owner of 2631 to 2685 Victoria Drive and 1837 to 1853 East 11th Avenue (the "Abutting Lands", as described in Appendix C) that approximately 136.0 square metre portion of abutting lane (the "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 \$800,000 be credited to the Property Endowment Fund (PEF).

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

### **REPORT SUMMARY**

This report seeks Council authority to close, stop-up and convey the 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 July 10, 2018, Council approved in principle the rezoning of the Abutting Lands, subject to various By-law enactment conditions, including the closure and sale of the Lane.

### ***CITY MANAGER'S/GENERAL MANAGER'S COMMENTS***

The City Manager recommends approval of the foregoing.

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 Lane is part of the existing lane system in the subject block, and was dedicated to the City upon registration of Plan 2728 in 1910. The lane has provided access and has served as a utility corridor for the dwellings on Lots A to D (Plan 2728) at 2631 to 2685 Victoria Drive, and the dwelling on Lot 23 (Plans 1059 and 1771) at 1853 East 11th Avenue.

The Abutting Lands owner has made application to purchase the Lane in conjunction with an application to rezone the site from RM-4 to CD-1. The rezoning application, which is consistent with the Grandview-Woodland Community Plan, the Vancouver Housing Strategy, and the Heritage Action Plan, Policies and Guidelines, proposes the construction of an eleven storey building with a five storey podium consisting of a mix of secured market rental and strata titled market housing (138 residential units in total).

The Lane bisects the rezoning site and the Lane closure and sale is therefore essential to the project. The closure and sale of the Lane, the dedication of portions of the site to the City for road and lane purposes, and the consolidation of the remainder of the Abutting Lands with the Lane have been established as prior-to enactment conditions of the rezoning.

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

The closure and sale of the Lane is essential to the rezoning application and is consistent with the corresponding development proposal. An Engineering Services review of this matter has concluded that the Lane is surplus and available for sale to the Abutting Lands owner, subject to the conditions noted in this report.

The Abutting Lands owner will be responsible for all costs, plans, document and Land Title Office fees required to complete the conveyance. The conveyance of the 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.

***Financial***

The Director of Real Estate Services has negotiated a sale of the Lane for \$800,000 plus applicable taxes. The Director of Real Estate Services advises that the sale price represents fair market value for the Lane to be conveyed to the Abutting Lands owner. The sale proceeds of \$800,000 will be credited to the PEF.

In accordance with the Miscellaneous Fees By-law, a Road Closure Fee of \$10,460 will be charged and collected from the Abutting Lands owner.

***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.

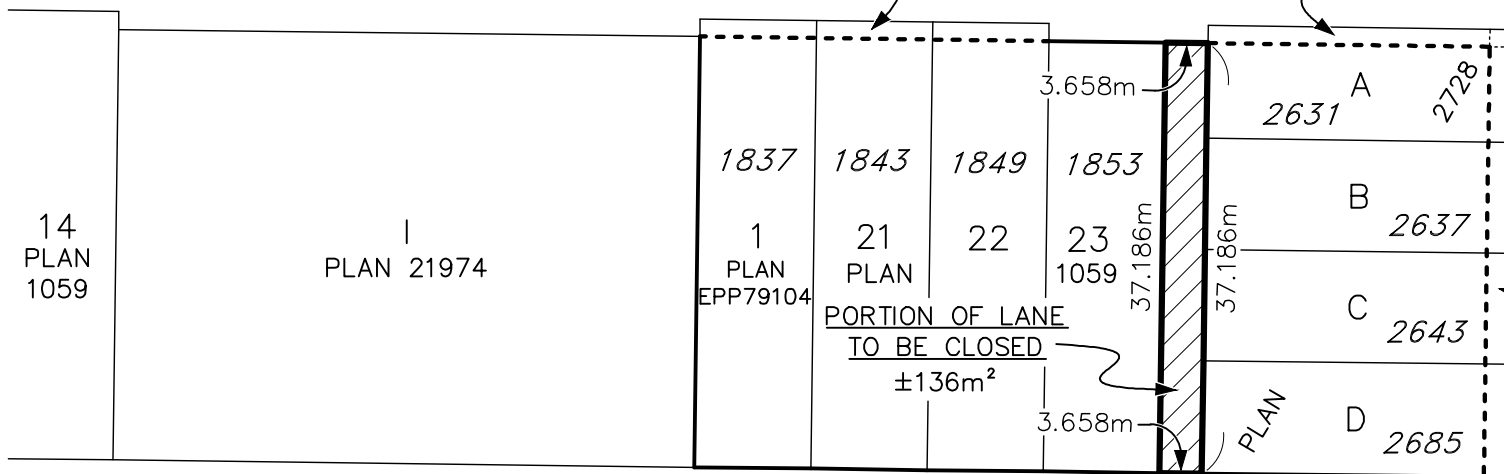
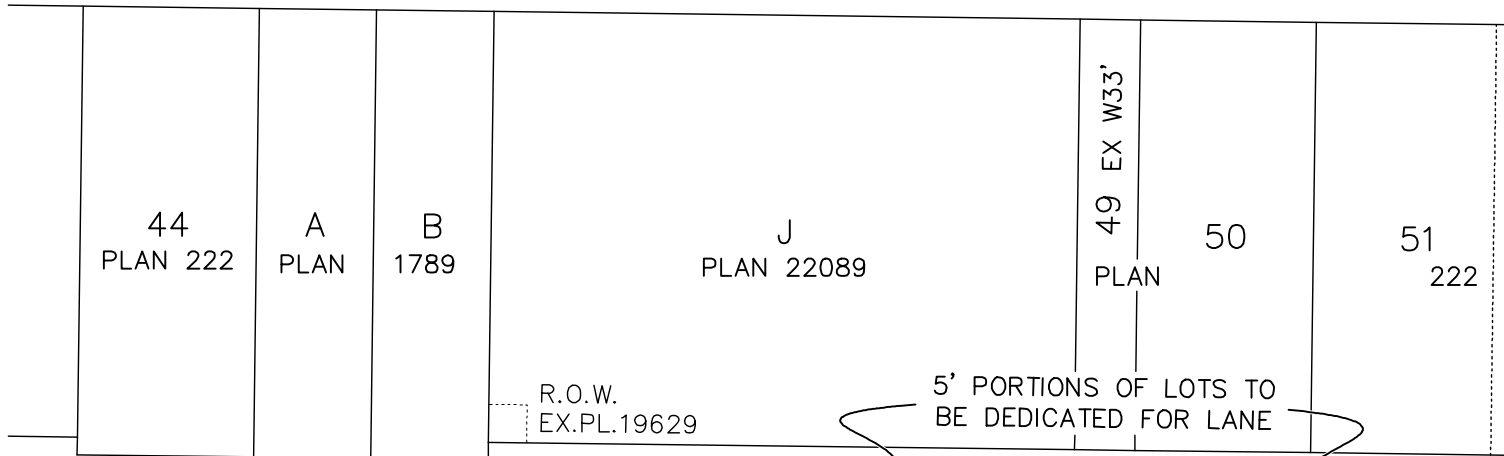
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1. The Lane to be closed is to be consolidated with the Abutting Lands to create a single parcel, portions of which will then be dedicated as new road and lane, as required pursuant to the rezoning prior to enactment conditions, the same as generally shown within the heavy outline of Appendix B, to the satisfaction of the Director of Legal Services and the Approving Officer;
2. Registration of a temporary Statutory Right of Way agreement over the Lane for public utility purposes, to be discharged upon abandonment and/or relocation of all existing utilities within the Lane;
3. 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;
4. The Abutting Lands owner to pay \$800,000 plus applicable taxes for the Lane, in accordance with the recommendation of the Director of Real Estate Services;
5. The Abutting Lands owner to pay \$10,460 for the Road Closure Fee, in accordance with the Miscellaneous Fees By-law;
6. The Abutting Lands owner to be responsible for all necessary plans, documents, and Land Title office fees;
7. The Director of Legal Services or the Director of Real Estate Services, as applicable, to execute all plans, transfers, and documents as required;
8. Any agreements are to be drawn to the satisfaction of the Director of Legal Services;
9. 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.

SKETCH PLAN SHOWING PROPOSED CLOSURE AND SALE OF A PORTION OF ROAD ADJACENT TO LOTS A TO D, ALL OF LOTS C AND D, BLOCK 162, DISTRICT LOT 264A, PLAN 2728, GROUP 1, NEW WESTMINSTER DISTRICT.

ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF UNLESS OTHERWISE NOTED  
DRAWING NOT TO SCALE

EAST 10TH AVENUE



VICTORIA DRIVE



NOTE: AREAS AND DIMENSIONS ARE SUBJECT TO FIELD SURVEY

EAST 11TH AVENUE

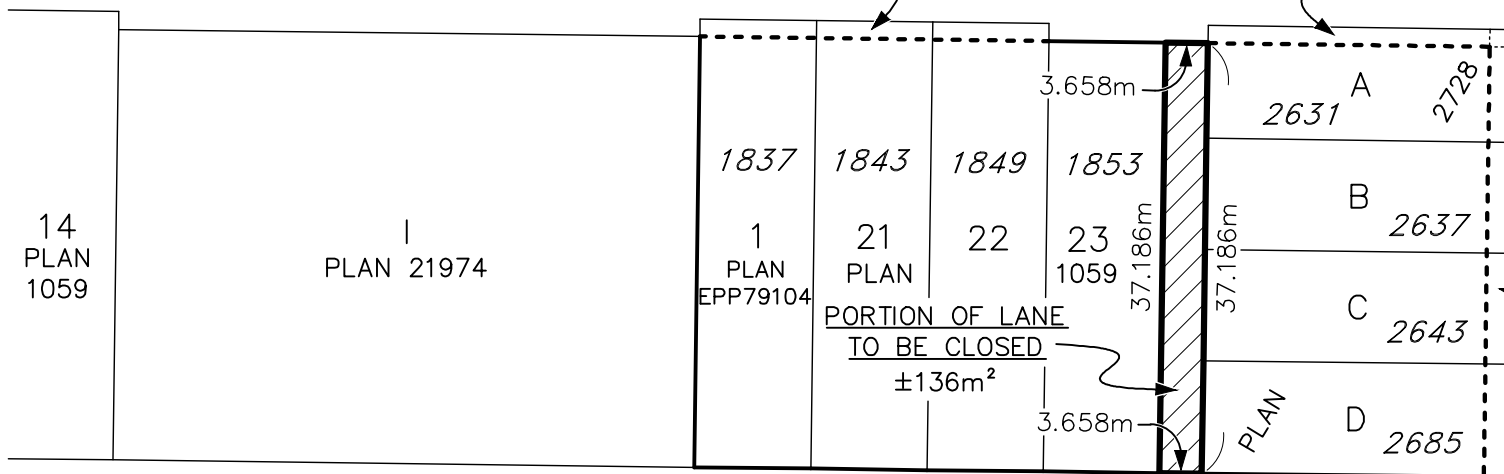
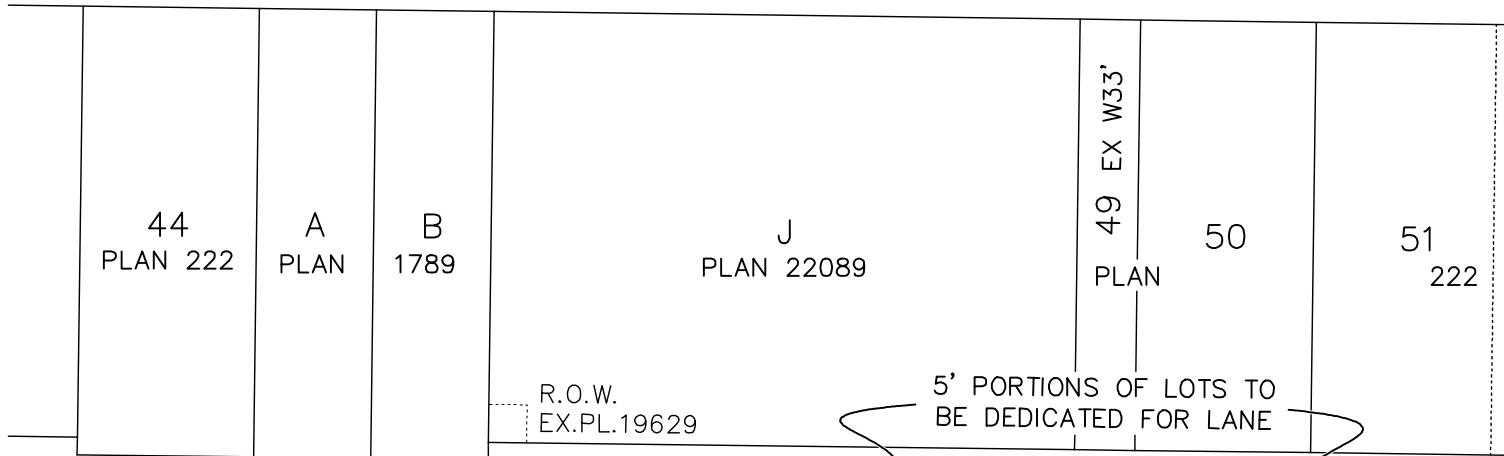
**The Abutting Lands**

<b>Address</b>	<b>Parcel Identifier</b>	<b>Legal Description</b>
2631 Victoria Drive	004-120-060	Lot A of Lots C and D Block 162 District Lot 264A Plan 2728
2637 Victoria Drive	013-491-890	Lot B of Lots C and D Block 162 District Lot 264A Plan 2728
2643 Victoria Drive	013-491-911	Lot C of Lots C and D Block 162 District Lot 264A Plan 2728
2685 Victoria Drive	013-491-920	Lot D of Lots C and D Block 162 District Lot 264A Plan 2728
1837 East 11 <sup>th</sup> Avenue	030-585-449	Lot 1 District Lot 264A Group 1 New Westminster District Plan EPP79104
1843 East 11 <sup>th</sup> Avenue	014-861-411	Lot 21 of Lots C and D Block 162 District Lot 264A Plans 1059 and 1771
1849 East 11 <sup>th</sup> Avenue	014-861-429	Lot 22 of Lots C and D Block 162 District Lot 264A Plans 1059 and 1771
1853 East 11 <sup>th</sup> Avenue	003-923-533	Lot 23 Except: The North 5 Feet Now Lane, of Lots C and D Block 162 District Lot 264A Plans 1059 and 1771

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