



## ADMINISTRATIVE REPORT

Report Date: April 23, 2019  
Contact: Al Zacharias  
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RTS No.: 13151  
VanRIMS No.: 08-2000-20  
Meeting Date: June 11, 2019

TO: Vancouver City Council

FROM: General Manager of Engineering Services in Consultation with the Director of Legal Services

SUBJECT: East Fraser Lands Waterfront Precinct - Road Closure and Future Land Transfers

### **RECOMMENDATION**

- A. THAT Council close, and stop-up a portion of road described as Lot 42 District Lot 330 and 331 Group 1 New Westminster District Plan EPP31354 ("Lot 42"), the same as generally shown within bold outline on the plan attached as Appendix B, subject to the terms and conditions noted in Appendix A.
- B. THAT the General Manager of Engineering Services, in consultation with the Director of Legal Services, and the Director of Real Estate Services, report back with further recommendations to complete the land transfers prescribed in the CD-1(567) East Fraser Lands Waterfront Precinct Bylaw ("CD-1(567)") amendment prior-to enactment conditions.

### **REPORT SUMMARY**

The purpose of this report is to seek Council Authority to close and stop-up as road Lot 42 to enable enactment of the CD-1(567) amendments and the future re-configuration of the EFL Waterfront Precinct lands in accordance with the East Fraser Lands Official Development Plan 10-year Review.

Under the proposed amendments to CD-1 (567) an updated subdivision plan, road closures, and arrangements for land transfers are required to update the development parcels and roads to achieve new lands for parks and a standalone site for the community centre.

## **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

The authority for stopping up streets is set out in Section 291 of the Vancouver Charter.

On December 17, 2013, City Council approved the establishment as road of Lot 42 (RTS 10354) as part of the EFL Area 1 subdivision.

At Public Hearing on September 19, 2018, Council amended the East Fraser Lands Official Development Plan and approved in principal the CD-1 (567) amendments to redistribute density in order to achieve a standalone site for the community centre contiguous to the waterfront.

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

The City Manager recommends approval of the foregoing.

The General Manager of Engineering Services and the General Manager of Real Estate and Facilities Management recommend approval of the foregoing.

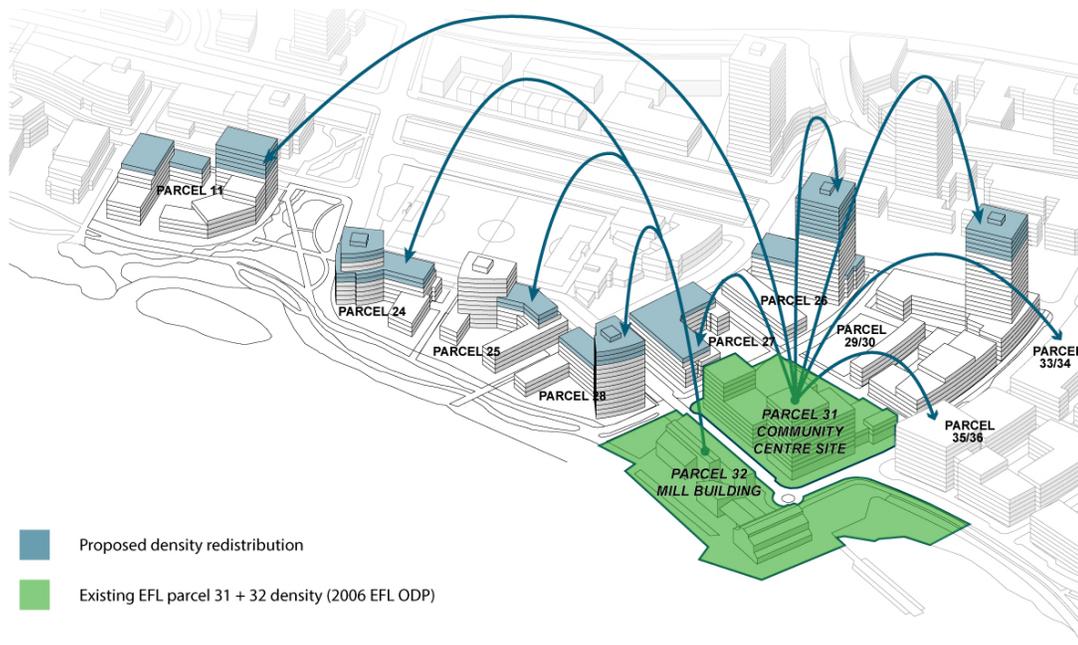
## **REPORT**

### ***Background/Context***

The subject portion of road to be closed is known as Lot 42 and it currently forms parts of North Arm Avenue and River District Crossing (see Appendix B for a map of Lot 42). Lot 42 was established as road under the Vancouver Charter by Council in 2013 such that it is owned by the City for road purposes and it retains covenants registered on its title that are between the developer (Park Lane / Wesgroup) and the Province to address environmental obligations.

Lot 42 and other parts of the Waterfront Precinct fall within an area that has been designated as a Wide Area Site ("WAS") by the Ministry of Environment ("MOE"). A WAS is defined in the Contaminated Sites Regulation as a site which contains specified contaminants, associated with one or more identified responsible persons, and covers an extensive geographic area comprising many individual sites or parcels. In this case the contamination originated from previous industrial wood preservation operations. The WAS has been remediated to MOE standards but remains subject to monitoring and treatment as required under the covenants and statutory rights of way (SRW's) that are registered against all Waterfront Precinct parcels, including Lot 42, in favour of the MOE. See Appendix C for the location of the WAS SRW Boundary.

The density reallocation addressed in the EFL ODP and CD-1(567) amendments is shown below in Figure 1. The density reallocation was proposed to redistribute existing floor area to create a standalone site for the EFL community centre contiguous with the waterfront plaza and foreshore park. The enactment of the CD-1 Bylaw amendment is subject to conditions for the closure of roads, land transfers, and subdivision.



*Figure 1 – Density reallocation diagram*

In order to re-configure the roads and the Waterfront Precinct Parcels, Lot 42 must first be closed as road. Once closed it can be subdivided with the adjacent lands to form the revised configuration of roads, parks, and development sites.

See Appendix C for a map of the proposed land transfers between the City and Wesgroup in the waterfront precinct.

- A portion of North Arm Avenue (Lot 42), shown green and dotted will be consolidated with the community centre parcel;
- A portion of Road B (Lot 42), shown hatched, will be transferred to Wesgroup for consolidation with Wesgroup's Lot 40;
- A portion of Road B (Lot 42), shown green and dotted, will be consolidated with the community centre parcel;
- A portion of Wesgroup's Lot 40 (shown solid green) will be consolidated with the community centre parcel;
- A portion of Wesgroup's Lot 40 (shown solid blue) will be established as road as an extension of River District Crossing to the river;
- Three portions of Wesgroup's Lot 41 (shown light green) will be transferred to the City for park purposes.
- A portion of Wesgroup's Lot 41 (shown light blue) will be established as road as an extension of Road C to the river.

### Subdivision Requirements

A subdivision will be required to complete the land transfers noted above to create the new Waterfront Precinct development sites, parks, and roads. Since the Land Title Act requires road access to the waterfront at specific intervals, Road B, River District Crossing, and Road C are proposed to extend all the way to the waterfront even though they will be constructed primarily as public open space compatible with the adjacent park

spaces. Appendix D shows the future subdivision configuration for the Waterfront Precinct.

### Upcoming Work

In addition to the requirements for the land transfers and subdivision, CD-1(567) is subject to a number of other prior-to enactment conditions that were approved at public hearing, including conditions related to the delivery of the foreshore tenure, shoreline works, parks and engineering services arrangements. These deliverables will be secured by no-development covenants on key development sites and delivered in phases that are in sync with the phases of the project. EFL Development Parcels 26 and 27 are part of the amended CD-1 area, but are not being reconfigured as part of the future subdivision. Wesgroup is seeking to proceed with these parcels, one of which is an affordable housing site, in the near future. Accordingly CD-1(567) needs to be enacted before all of the legal and property arrangements for the re-configured roads, parks and development sites are complete to allow development on Parcels 26 and 27 to move forward. It is anticipated that further EFL ODP and CD-1(567) amendments, to increase density and adjust development form, will be brought forward to Council to complete the EFL ODP 10-year Review process. It is for these reasons that this report does not seek to finalize the land transfers between Wesgroup and the City and why Recommendation B requires staff to report back to Council to conclude those arrangements. In the meantime it is prudent to obtain Council authority for the Lot 42 road closure.

### **Strategic Analysis**

Council authority to stop-up and close Lot 42 as road is essential to the enactment of the EFL Waterfront Precinct CD-1 (567) Bylaw and Wesgroup's commitment to support the creation of a stand-alone site for the community centre. The enactment of CD-1(567) will enable the necessary density transfers and allow active development applications on Development EFL Parcels 26 and 27 to proceed.

Further to Recommendation B staff will report back to Council for further authority to finalize the land transfers after the purchase and sale and subdivision arrangements are ready for approval.

Wesgroup will be responsible for all costs, plans, documents and Land Title Office fees required to complete the conveyance.

### **Implications/Related Issues/Risk**

#### **Financial \***

There are no financial implications since Recommendation A seeks only to close Lot 42 as road and the City will retain ownership until all of the land transfers can be completed concurrently.

Staff will report back to Council with further Recommendations to finalize the land transfers. The City will receive a net benefit of land area and a standalone site for the community centre.

**CONCLUSION**

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

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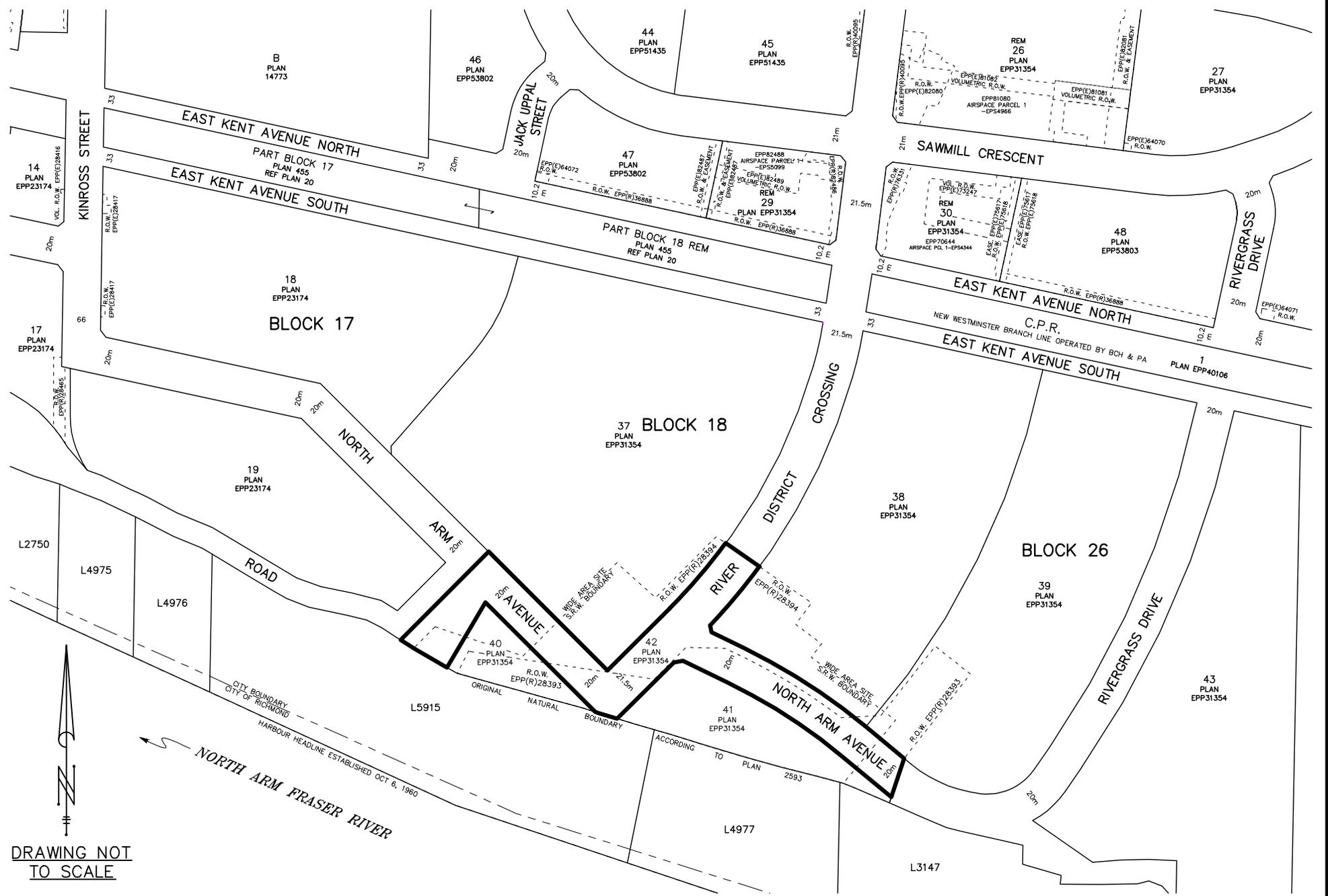
**TERMS AND CONDITIONS**

1. The filing of the road closure documentation in the Land Title Office is to be concurrent with the registration of the proposed subdivision and establishment of the new roads.

\* \* \* \* \*

**PORTIONS OF ROAD DESCRIBED AS LOT 42, DISTRICT LOT 330 AND 331, GROUP 1,  
NEW WESTMINSTER DISTRICT, PLAN 31354 TO BE STOPPED-UP AND CLOSED**

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DRAWING NOT TO SCALE

MAP: V,W-25,26  
MAY 22, 2019

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APPENDIX B

# LAND TRANSFER PROPOSED BY THE CD-1(567) EAST FRASER LANDS WATERFRONT PRECINCT BY-LAW AMENDMENTS

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## — LEGEND —

- |   |   |   |   |
|---|---|---|---|
|  | LOT 42 BOUNDARY   |  | PORTION OF LOT 40 (WESGROUP) TO BE ADDED TO THE COMMUNITY CENTRE PARCEL |
|  | PORTIONS OF LOT 42 TO BE RETAINED AS ROAD                     |  | PORTIONS OF LOT 41 (WESGROUP) TO BE TRANSFERRED TO THE CITY FOR PARK    |
|  | PORTION OF LOT 42 TO BE TRANSFERRED TO WESGROUP               |  | PORTION OF LOT 40 (WESGROUP) TO BE ESTABLISHED AS ROAD                  |
|  | PORTIONS OF LOT 42 TO BE ADDED TO THE COMMUNITY CENTRE PARCEL |  | PORTION OF LOT 41 (WESGROUP) TO BE ESTABLISHED AS ROAD                  |

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MAP: V,W-26  
MAY 22, 2019

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APPENDIX C

# FUTURE WATERFRONT PRECINCT SUBDIVISION



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MAP: V,W-25,26  
MAY 22, 2019

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APPENDIX D

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