



REPORT

Report Date: November 4, 2019
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VanRIMS No.: 08-2000-20
Meeting Date: December 10, 2019
[Submit comments to Council](#)

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 Portion of Lane Adjacent to 1465 West Broadway and 1489 West Broadway

RECOMMENDATION

- A. THAT Council close, stop-up and convey to the owner of 1489 West Broadway (the "1489 Lands", as described in Appendix B) that approximately 213.7 square metre portion of abutting lane (the "Lane"), the same generally shown hatched on the plan attached as Appendix C, subject to the terms and conditions noted in Appendix A.
- B. THAT the sale proceeds of \$3,795,000 be credited to the Property Endowment Fund (PEF).

If Council approves the recommendations as contained in this report, the Formal Resolution to close the Lane will be before 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 1489 Lands. The conveyance of the Lane to the owner of the 1489 Lands and the Lane's consolidation with the 1489 Lands and the 1465 Lands will create consolidated site for development, including the intended location of the new Granville Station head house for the Broadway Subway Project.

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.

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 within the subject block, which was dedicated to the City upon registration of Subdivision Plan 590 in 1891.

The 1489 Lands owner has made an application to purchase the Lane in conjunction with a development application to allow for the construction of a 5-storey office building over 6 levels of underground parking that incorporates retail at grade and the Granville Station head house and transit access for the Broadway Subway. The owner, as a condition of the purchase and sale agreement, will be required to complete the purchase of 1465 West Broadway (the "1465 Lands", as described in Appendix B) prior to the transfer of the Lane from the City.

The current lane alignment bisects the development site and the Lane closure and sale is therefore essential to the project. The closure and sale of the Lane, the dedication of a small portion of the 1465 Lands for Lane purposes, and the consolidation of the remainder of the 1465 Lands, the 1489 Lands and the Lane into a single parcel have been established as prior-to conditions of the development permit.

Strategic Analysis

The closure and sale of the Lane is essential to the development application and to the multi-party arrangement to ensure the Granville Station head house will be located at the corner of Granville and West Broadway. An Engineering Services review of this matter has concluded that the Lane is surplus and available to the owner of the 1489 Lands, subject to the purchase of the 1465 Lands and other conditions detailed in Appendix A of this report.

The 1489 Lands owner will be responsible for all costs, plans, document and Land Title Office Fees required to complete the lane closure and conveyance.

Implications/Related Issues/Risk

Financial

The Director of Real Estate services has negotiated a sale of the Lane for \$3,795,000 plus applicable taxes. The Director of Real Estate Services advises that the sale represents fair market value for the Lane to be conveyed to the 1489 Lands owner. The sale proceeds of \$3,795,000 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 1489 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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TERMS AND CONDITIONS OF CONVEYANCE

1. The Lane to be closed is to be consolidated with the 1489 Lands and the 1465 Lands (as described in Appendix B), to create a single parcel and to dedicate the north 0.610m (2 feet) of the 1465 Lands to the City for lane purposes, the same as shown within the heavy outline of Appendix C, to the satisfaction of the Director of Legal Services and the Approving Officer;
2. Submission of written consents to the proposed lane closure from all utility owners including BC Hydro, Fortis, Shaw, Telus and City Fibre, and confirmation of arrangements to address associated utility relocations and site servicing requirements;
3. Submission of written confirmation from the Province of British Columbia that all necessary land use agreements for the Broadway Subway Project have been secured over the 1489 Lands, to the satisfaction of the Director of Legal services and the Director of Real Estate Services.
4. Registration of a temporary Statutory Right of Way over the former Lane area for public utility purposes, to be discharged upon abandonment and/or relocation of all existing utilities with the Lane;
5. Registration of a surface Statutory Right of Way over the north 2 metres of the former Lane area and over a portion of the 1465 Lands as shown shaded in Appendix C to facilitate truck turning in the Lane on the City's standard terms;
6. The 1489 Lands owner to pay \$3,795,000 plus applicable taxes for the Lane, in accordance with the recommendation of the Director of Legal Services;
7. The 1489 Lands owner to pay \$10,460 for the Road Closure Fee, in accordance with the Miscellaneous Fees, By-law;
8. The 1489 Lands owner to be responsible for all necessary plans, documents, and Land Title Office fees;
9. The Director of Legal Services or the Director of Real Estate Services, as applicable, to execute all plans, transfers and documents as required;
10. Any agreements are to be drawn to the satisfaction of the Director of Legal Services;
11. 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.

The 1489 Lands

Address	Parcel Identifier (PID)	Legal Description
1489 West Broadway	015-201-121	Lot 6, Block 331, District Lot 526, Plan 590
1489 West Broadway	015-201-139	Lot 7, Block 331, District Lot 526, Plan 590
1489 West Broadway	015-201-147	Lot 8, Block 331, District Lot 526, Plan 590
1489 West Broadway	015-201-155	Lot 9, Block 331, District Lot 526, Plan 590
1489 West Broadway	015-201-163	Lot 10, Except Part in Explanatory Plan 10757, Block 331, District Lot 526, Plan 590

The 1465 Lands

Address	Parcel Identifier (PID)	Legal Description
1465 West Broadway	015-201-171	Lot 11, Except Part in Plan 4379, Block 331, District Lot 526, Plan 590
1465 West Broadway	015-201-180	The West ½ of Lot 12, Except Part in Plan 4379, Block 331, District Lot 526, Plan 590
1465 West Broadway	015-201-210	The East ½ of Lot 12, Except Part in Plan 4379, Block 331, District Lot 526, Plan 590

SKETCH PLAN SHOWING PROPOSED CLOSURE AND SALE OF A PORTION OF LANE ADJACENT TO LOTS 6 TO 10 EXCEPT PART IN EXPLANATORY PLAN 10757; LOT 11 AND THE EAST 1/2 AND WEST 1/2 OF LOT 12 EXCEPT PARTS IN PLAN 4379, ALL OF BLOCK 331, DISTRICT LOT 526, PLAN 590, GROUP 1, NEW WESTMINSTER DISTRICT.

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

