



REPORT

Report Date: February 6, 2020
Contact: Dave Parkin
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RTS No.: 13732
VanRIMS No.: 08-2000-20
Meeting Date: March 31, 2020
[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 Lease of a Portion of Road Adjacent to 3075 Slocan Street

RECOMMENDATION

- A. THAT Council close and stop-up that 28.9 square metre portion of road abutting 3075 Slocan Street (the "Abutting Lands", as described in Appendix A).
- B. THAT Council authorize the Director of Real Estate Services to negotiate and execute a lease (the "Lease") of that approximately 28.9 square metre portion of the road (the "Lease Area"), the same generally shown outlined in bold on the attached Appendix B, subject to the terms and conditions noted in Appendix A, all to the satisfaction of the Director of Real Estate Services and Director of Legal Services.

As the rent under the Lease will be below the applicable market rate and includes non-collection of rent-in-lieu of property taxes, Recommendation B constitutes a grant valued at approximately \$2,000 per annum based on the first year of the term and requires an affirmative vote of two-thirds of Council members per *Vancouver Charter* S.206(1).

REPORT SUMMARY

This report seeks Council authority to close, stop-up and lease the Lease Area to the owner of 3075 Slocan Street. The lease of this portion of the road will allow for an enlarged outdoor play area for the proposed Italian Cultural Centre Society Daycare (Scuola d'Infanzia "L'Albero Magico") allowing the facility to more closely meet the City of Vancouver Childcare Design Guidelines.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

The authority for closing and disposing of streets and lanes is set out in Sections 190, 289A, 291, and 291A of the Vancouver Charter. Pursuant to Section 291, Council may provide for stopping up, closing and disposing of street. Pursuant to Section 289A(a), Council may, by lease and for such consideration and on such terms as may be agreed on, permit the use of stopped-up and closed surfaces of streets by the occupants of abutting property that is zoned for other than residential use.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The City Manager recommends approval of the foregoing.

The General Manager of Engineering (GMES) and General Manager of Real Estate and Facilities Management recommend the approval of the foregoing.

REPORT

Background/Context

The Lease Area is part of west half of Slocan Street adjacent to the Abutting Lands, which was dedicated as road by Council resolution in 1927.

Social Policy staff engaged Engineering Services on behalf of the owner to obtain approval to use this portion of road in conjunction with a development application for the proposed daycare facility. The Lease Area is a 1.25 metre by 23.15 metre portion of Slocan Street located behind the existing sidewalk adjacent to the proposed daycare facility that is to be incorporated into the planned onsite outdoor play area.

One of the key long-term goals of the City of Vancouver's Healthy City Strategy is to ensure that children have the best chance of enjoying a healthy childhood. The approval of this Lease Area will allow for the creation of a safe and secure outdoor area of sufficient size to enhance the social, intellectual, and physical development of the attending children.

Strategic Analysis

The closure and lease of the Lease Area will allow the daycare operator to more closely meet the recommended requirements for outdoor play space area as specified in the City of Vancouver Childcare Design Guidelines. An Engineering Services review of the this matter has concluded that the Lease Area is available to owner of the Abutting Lands, subject to the conditions detailed in Appendix A of this report.

The Abutting Owner will be responsible for all costs and plans required to complete the road closure and lease.

Implications/Related Issues/Risk***Financial***

Staff recommend that the total rent be set at a nominal rate of \$1.00 per year. Nominal rent is considered a grant based on the fair market value of the Lease, which is estimated at approximately \$2,000/annum.

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 LEASE

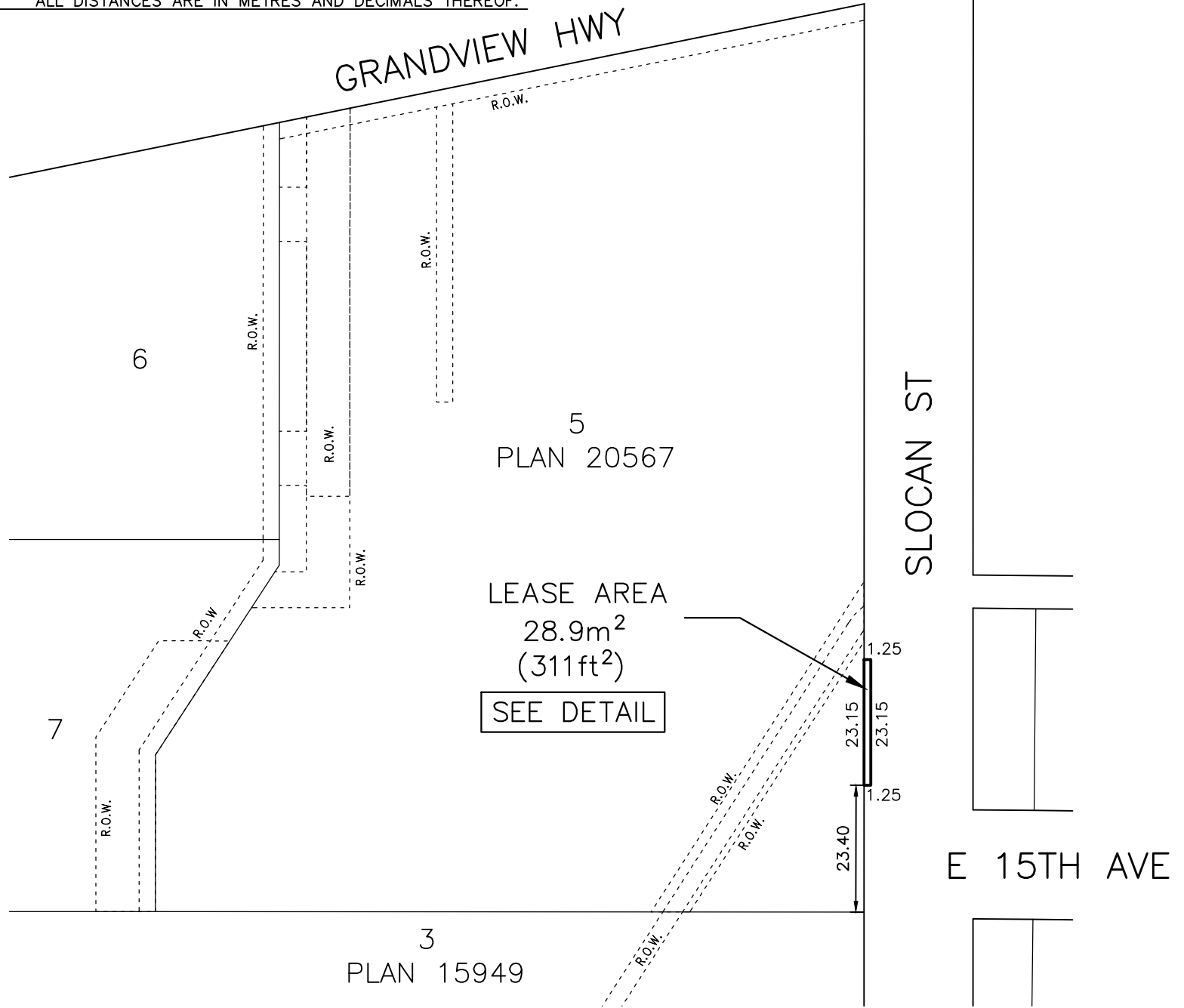
1. The Lease Area is to be leased to the owner of the Abutting Lands ([PID:006-555-845] Lot 5, Block A, Section 45, Town of Hastings Suburban Lands, Plan 20567) for the purposes of an outdoor play space within a Children's Daycare facility.
2. The lease is to be for an initial term of five (5) years for \$1.00 per year, with an option to renew for a further five (5) year term and with a 12 month notice to terminate should the Lease Area be required for any municipal purpose.
3. The lease will be terminated upon any full redevelopment of the site or the childcare facility ceasing to be in operation.
4. No structures, other than site fencing, playground equipment and landscaping (the "Works"), shall be constructed in the Lease Area.
5. The Italian Cultural Centre Society shall be responsible for :
 - a. Maintenance of the Lease Area;
 - b. Insurance to the satisfaction of the Director of Risk Management;
 - c. Indemnities to the City for all liabilities to the satisfaction of the Director of Legal Services;
 - d. Any alterations to the Lease Area beyond the Works will require the prior written consent of the GMES;
 - e. Restoration of the Lease Area, at the termination or expiry of the lease, to the satisfaction of the GMES.
6. Prior to any ground disturbance work, the owner must contract a professional utility locate service to ensure there are no undisclosed utilities within the Lease Area;
7. The City will not be liable for any damage to utilities and reserves the right to access the Lease Area should it be necessary in the future subject to the terms of the lease;
8. The applicant shall be responsible for all necessary plans and administration costs;
9. Any agreements are to be drawn to the satisfaction of the Director of Legal Services, the Director of Real Estate Services and the General Manager of Engineering Services;
10. No legal right or obligation shall be created and none shall arise hereafter until the documents are executed by the parties thereto.

PLAN TO ACCOMPANY THE LEASE OF A PORTION OF ROAD ADJACENT TO LOT 5, BLOCK A, SECTION 45, TOWN OF HASTINGS SUBURBAN LANDS, PLAN 20567

CIVIC ADDRESS: 3075 SLOCAN STREET



SCALE 1:1000 ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.

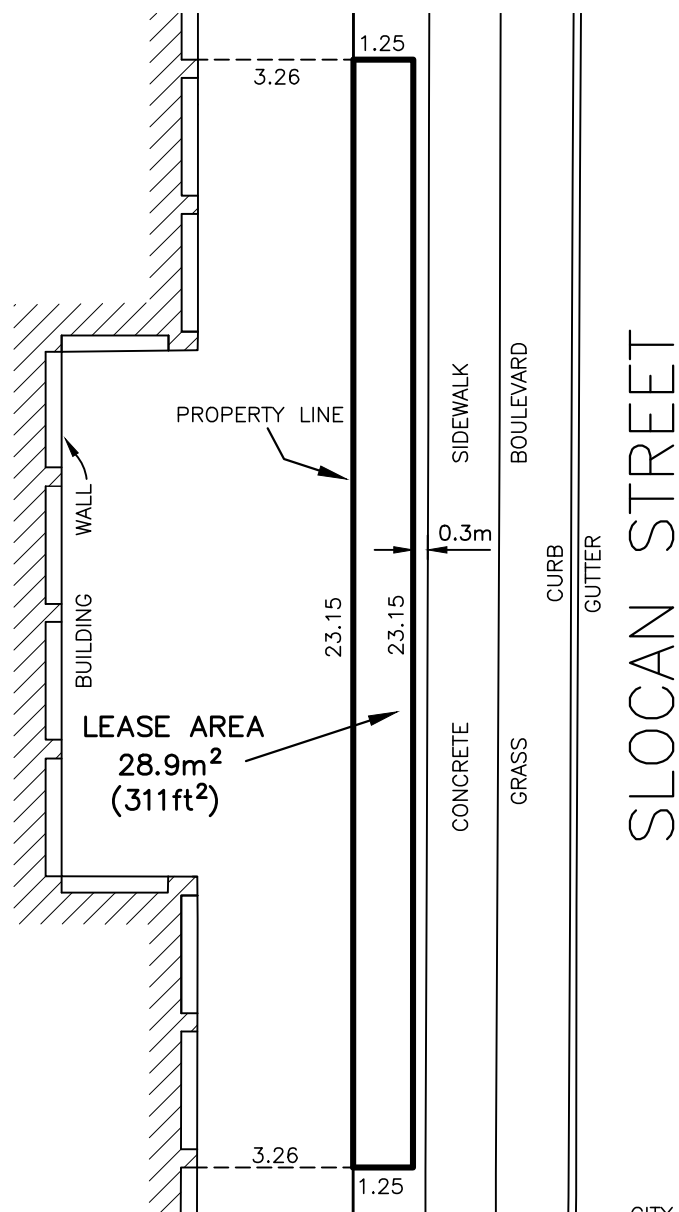


DETAIL

(NOT TO SCALE)

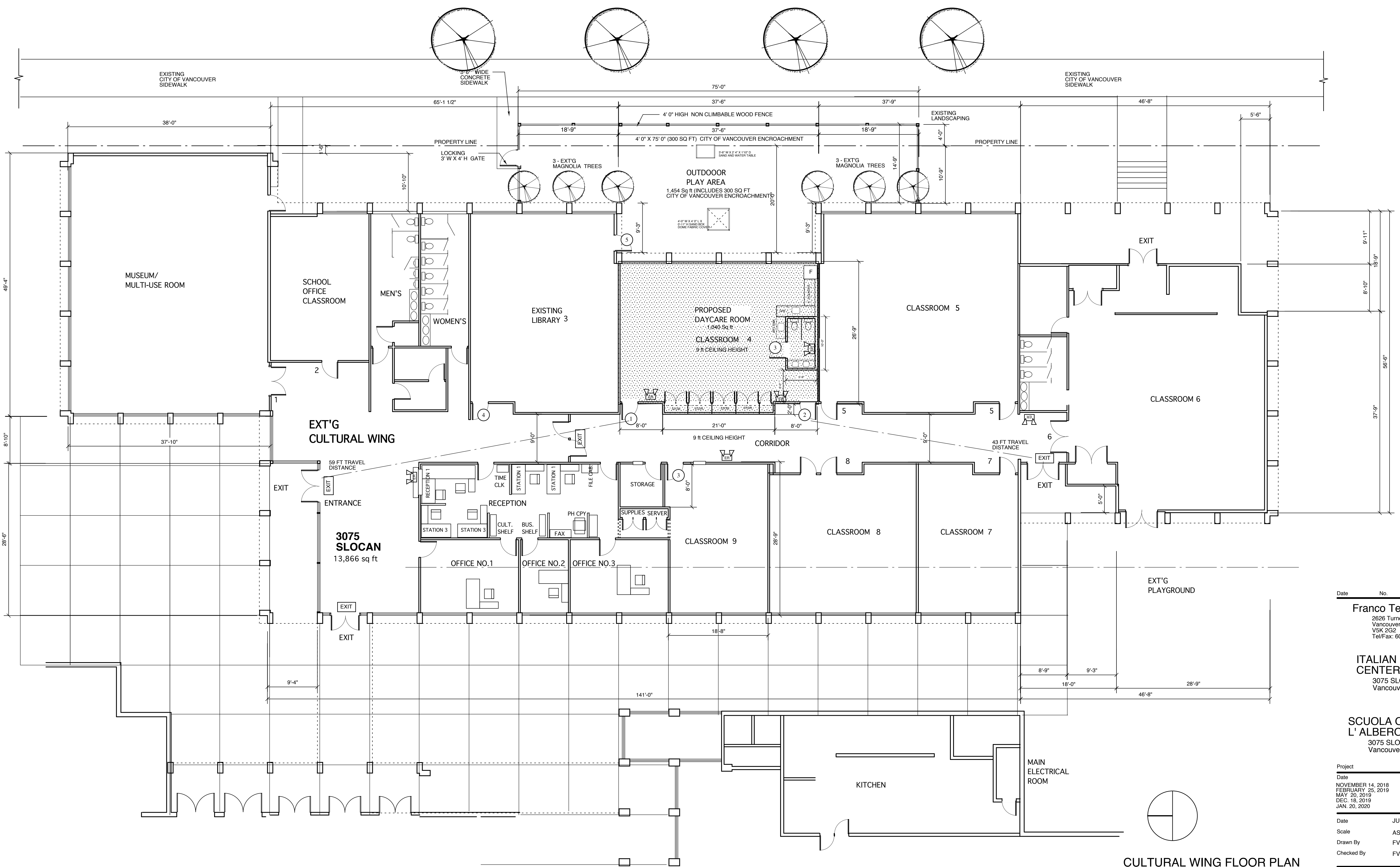
ITALIAN CULTURAL CENTRE SOCIETY

5
PLAN 20567



DATE OF SURVEY:
NOVEMBER 20, 2019.

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CULTURAL WING FLOOR PLAN
1/8" = 1'0"

| Date | No. | Revision |
|------|-----|----------|
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ITALIAN CULTURAL CENTER SOCIETY
3075 SLOCAN ST.
Vancouver, B. C.

SCUOLA OF INFANZIA L' ALBERO MAGICO
3075 SLOCAN ST.
Vancouver, B. C.

| Project | Date | Issued |
|-------------------|------------------|--------|
| NOVEMBER 14, 2018 | DP APP./REVIEW | |
| FEBRUARY 25, 2019 | DP APP./REVIEW | |
| MAY 23, 2019 | DP APP./REVISION | |
| DEC. 18, 2019 | BP APP | |
| JAN. 20, 2020 | BP APP./REVISION | |

| | |
|------------|------------|
| Date | JUNE, 2018 |
| Scale | AS NOTED |
| Drawn By | FVT |
| Checked By | FVT |

Drawing Title
GROUND FLOOR PLAN CULTURAL WING

Project No. 2018.04
Drawing No. **A-100**