



ADMINISTRATIVE REPORT

Report Date: April 29, 2020
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VanRIMS No.: 08-2000-20
Meeting Date: June 9, 2020
[Submit comments to Council](#)

TO: Vancouver City Council

FROM: 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 1976 and 1990 Stainsbury Avenue

RECOMMENDATION

- A. That Council close, stop-up and convey to the owner of 1956 to 1990 Stainsbury Avenue ("The Abutting Lands", as described in Appendix A) that approximately 184 square metre portion of abutting lane (the "Lane Portion"), 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 \$758,521.00 be credited to the Property Endowment Fund (PEF).

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

REPORT SUMMARY

This report seeks Council authority to close, stop-up and convey the Lane Portion 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, 2020, 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 Portion.

CITY MANAGER/GENERAL MANAGER COMMENTS

The City Manager recommends the 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 Lane Portion is part of the existing lane system in the subject block and was dedicated to the City upon the registration of Plan 10571 in 1960 creating a secondary lane connection to Stainsbury Avenue and providing lane access to 1990 Stainsbury Avenue (Lot D, Plan 10571)

The Abutting Lands owner has made application to purchase the Lane Portion in conjunction with an application to rezone the site from RS-1A (Single-Family Dwelling) District to a CD-1 (Comprehensive Development) District under the Moderate Income Rental Housing Pilot Program (MIRHP Program) to permit the development of a five-storey residential building containing 80 secured rental housing units, of which 20 per cent of the residential floor area will be secured for households earning a moderate income and rented at rates affordable to such households.

The current lane alignment bisects the rezoning site and the closure and sale of the Lane Portion is therefore essential to the success of the project. The closure and sale of the Lane Portion, and the consolidation of Abutting Lands with the Lane Portion, have been established as prior-to enactment conditions of the rezoning.

Strategic Analysis

The closure and sale of the Lane Portion is crucial to the current rezoning application and will enable the consolidation of the Abutting Lands with the Lane Portion therefore facilitating the optimum development of the block. An Engineering Services review of this matter has concluded that the Lane Portion is surplus to civic needs and is available for sale to the Abutting Lands owner, subject to the conditions detailed in Appendix A of this report.

The Director of Real Estate Services therefor advises that the sale price of \$758,521.00 represents fair market value for the Lane Portion to be conveyed to the Abutting Lands owner. The Abutting Lands owner will be responsible for all costs, plans, documents and Land Title Office fees required to complete the conveyance.

Implications/Related Issues/Risk

Financial

The Director of Real Estate Services has negotiated a sale of the Lane Portion for \$758,521.00 plus applicable taxes. The Director of Real Estate Services advises that the sale represents fair market value for the Lane Portion to be conveyed to the Abutting Lands owner. The sale proceeds of \$758,521.00 will be credited to the PEF.

In accordance with the Miscellaneous Fees By-law, a Road Closure Fee of \$10,773 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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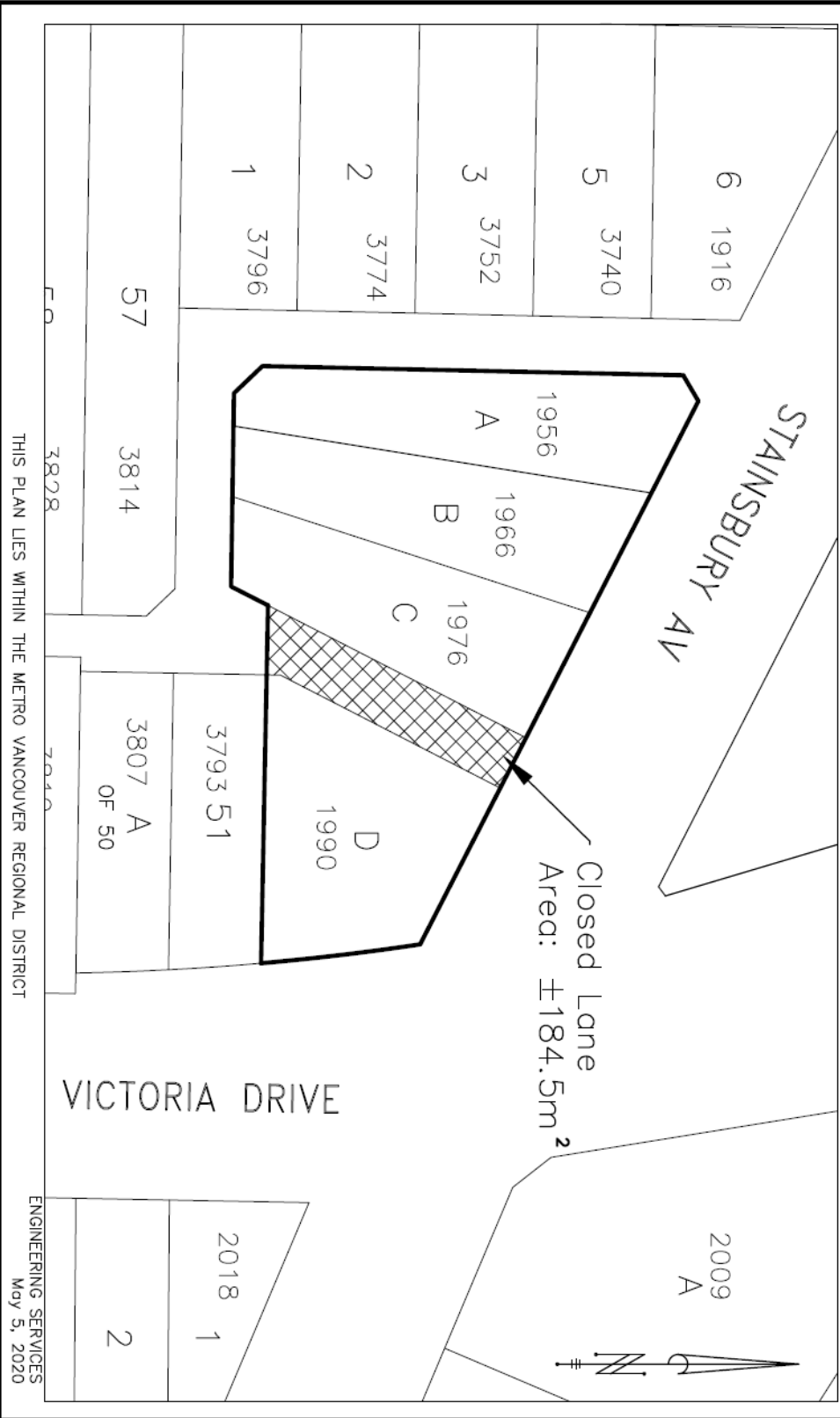
The Lane Portion to be closed is to be consolidated with the Abutting Lands ([PID: 009-373-292] Lot A, [PID:009-373-357] Lot B, [PID: 009-373-489] Lot C and [PID: 002-718-642] Lot D, all of Block D, West Part of District Lot 743, Plan 10571) to form a single development parcel, the same as generally shown within the heavy outline on Appendix B, to the satisfaction of the Director of Legal Services (DLS);

1. Submission of written consents to the proposed lane closure from all affected utility owners including BC Hydro, Telus, and FortisBC, and confirmation of arrangements to address associated utility removals, relocations and future site servicing requirements;
2. Registration of a temporary Statutory Right of Way agreement over the portion of lane to be closed for public utility purposes, to be discharged once all utilities impacted by the lane closure have been abandoned, relocated or otherwise protected, as necessary, and any associated street and lane reconstruction works have been completed to the satisfaction of the General Manager of Engineering Services (GMES);
3. Suitable arrangements must be made (as a consequence of the disruption of the existing lane drainage path), to either, (a) construct a new storm sewer (with catch basin(s)) in the lane adjacent to the development site, (b) redesign and reconstruct the lane to achieve an overland flow path, or (c) direct storm water flow into and through the development site (a Statutory Right of Way in favour of the City will be required). Arrangements are to be made for the removal of two existing catch basins from within the northerly limit of the Lane Portion. All arrangements and related work to be to the satisfaction of the GMES;
4. The Abutting Lands owner to pay \$758,521 plus applicable taxes for the Lane Portion, in accordance with the recommendation of the Director of Real Estate Services;
5. The Abutting Lands owner to pay \$10,773 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 DLS;
9. No legal right or obligation shall be created and none shall arise hereafter until the documents are executed by the parties thereto;

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SKETCH PLAN SHOWING PROPOSED CLOSURE AND SALE OF A PORTION OF LANE ADJACENT TO LOTS A TO D, BLOCK D, WEST PART OF DISTRICT LOT 743, PLAN 10571, GROUP 1, NEW WESTMINSTER DISTRICT.

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



THIS PLAN LIES WITHIN THE METRO VANCOUVER REGIONAL DISTRICT

ENGINEERING SERVICES
May 5, 2020

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