



REPORT

Report Date: May 14, 2021
Contact: David Parkin
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RTS No.: 14504
VanRIMS No.: 08-2000-20
Meeting Date: June 8, 2021

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 Lane Adjacent to 1750 Franklin Street and 1717-1771 East Hastings Street

RECOMMENDATION

- A. THAT Council close, stop-up and convey to Hallmark Poultry Processing Ltd. ("Hallmark"), the owner of the Abutting Lands, as legally described in Appendix B, that approximately 804.5 square metre (8660 square feet) portion of lane (the "Lane Portion"), the same as generally shown outlined in bold on the plan attached as Appendix C, subject to the terms and conditions noted in Appendix A.
- B. THAT the sale proceeds of \$4,763,000 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 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 Property Endowment Fund or are sold with the proceeds credited to the Property Endowment Fund.

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 Portion was dedicated as lane upon the registration of Plan 729 in 1894 and continues to be used for access and utility purposes for the servicing of the Abutting Lands.

The Lane Portion is currently the subject of a temporary licence agreement granting Hallmark exclusive use of the Lane Portion to address security and public safety issues relating to public use of the lane and repeated and significant interruptions to Hallmark's business.

Hallmark has made an application to purchase the Lane Portion for integration into its poultry processing facility and is planning to upgrade the facilities in the future.

We note that the lands north and south of the Lane Portion have different zoning (M-2 and MC-2, respectively).

Strategic Analysis

The closure and sale of the Lane Portion is an important component for Hallmark to refurbish and upgrade the poultry processing facility. An Engineering Services review of this matter has concluded that the Lane Portion is surplus to civic needs and is available for sale to Hallmark, subject to the conditions detailed in Appendix A of this report.

Hallmark will be responsible for all costs, plans, document and Land Title Office fees required to complete the road closure and conveyance.

Implications/Related Issues/Risk

Financial

The Director of Real Estate Services has negotiated a sale of the Lane Portion for \$4,763,000 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 owner of the Abutting Lands. The sale proceeds of \$4,763,000 will be credited to the PEF.

In accordance with the Miscellaneous Fees By-law, a Road Closure Fee of \$11,100 will be charged to and collected from the owner of the Abutting Lands.

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 Portion to be closed, as generally shown outlined in bold on Appendix C, is to be subdivided with the Abutting Lands (as legally described in Appendix B) to create two legal parcels, as generally shown on Appendix D, in the form acceptable for deposit in the Land Title Office upon approval by the Approving Officer and to the satisfaction of the Director of Legal Services;
2. Prior to the Closing Date, ownership of the parcel of the Buyer's Land legally described as Lot 11 of Lot 4 Block D District Lot 183 Plan 729 (PID 015-164-306) will be transferred from Linbury Holdings Ltd., nominee company, as bare trustee, to Hallmark;
3. Submission of written confirmation that arrangements have been made with BC Hydro, TELUS and FortisBC to support, in principle, the proposed closure of the Lane, subject to ultimate completion of any works or other arrangements that may be required by such utility providers to address utility relocations and future servicing needs, and including a summary of such work and arrangements to address the removal and relocation of the existing street lighting facilities in the Lane Portion, to the satisfaction of the General Manager of Engineering Services;
4. Registration of a Statutory Right of Way agreement in favour of the City over the Lane Portion for public utility purposes to the satisfaction of the General Manager of Engineering Services;
5. The Abutting Lands owner to pay \$4,763,000 plus applicable taxes for the Lane Portion, in accordance with the recommendation of the Director of Real Estate Services;
6. The Abutting Lands owner to pay \$11,100 for the Road Closure Fee, in accordance with the Miscellaneous Fees By-law;
7. The Abutting Lands owner to be responsible for all necessary plans, documents, and Land Title Office fees, including the preparation of a Reference Plan to Accompany Resolution of the City of Vancouver, the Statutory Right of Way Plan and the Subdivision Plan for the creation of the two new Parcels;
8. The Director of Legal Services or the Director of Real Estate Services, as applicable, to execute all plans, transfers and documents as required;
9. Any agreements are to be drawn to the satisfaction of the Director of Legal Services;
10. 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.

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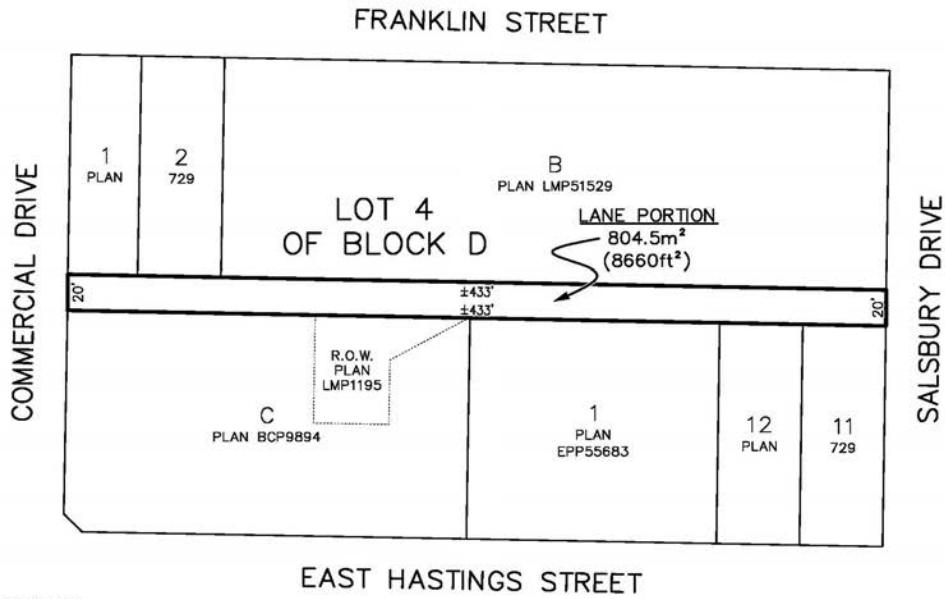
The Abutting Lands

Address	Parcel Identifier (PID)	Legal Description
1717 E. Hastings St.	025-876-716	Parcel C of Lot 4 Block D District Lot 183 Plan BCP9894
1747 E. Hastings St.	029-771-994	Lot 1 of Lot 4 Block D District Lot 183 Plan EPP55683
1771 E. Hastings St.	015-164-489	Lot 12 of Lot 4 Block D District Lot 183 Plan 729
375 Salsbury St.	015-164-306	Lot 11 of Lot 4 Block D District Lot 183 Plan 729
1750 Franklin St.	025-165-011	Parcel B of Lot 4 Block D District Lot 183 Plan LMP51529
310 Commercial Dr.	015-164-233	Lot 1, Except the West 7 Feet Now Road, of Lot 4 Block D District Lot 183 Plan 729
310 Commercial Dr.	015-164-241	Lot 2 of Lot 4 Block D District Lot 183 Plan 729

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**SKETCH PLAN SHOWING PROPOSED CLOSURE AND SALE OF LANE
ADJACENT TO LOT 4 OF BLOCK D, DISTRICT LOT 183, GROUP 1,
NEW WESTMINSTER DISTRICT.**

DRAWING NOT TO SCALE



NOTE: AREAS AND
DIMENSIONS ARE SUBJECT
TO FIELD SURVEY

APP MAP-S-8

THIS PLAN LIES WITHIN THE METRO VANCOUVER REGIONAL DISTRICT

ENGINEERING SERVICES
MAY 7, 2021

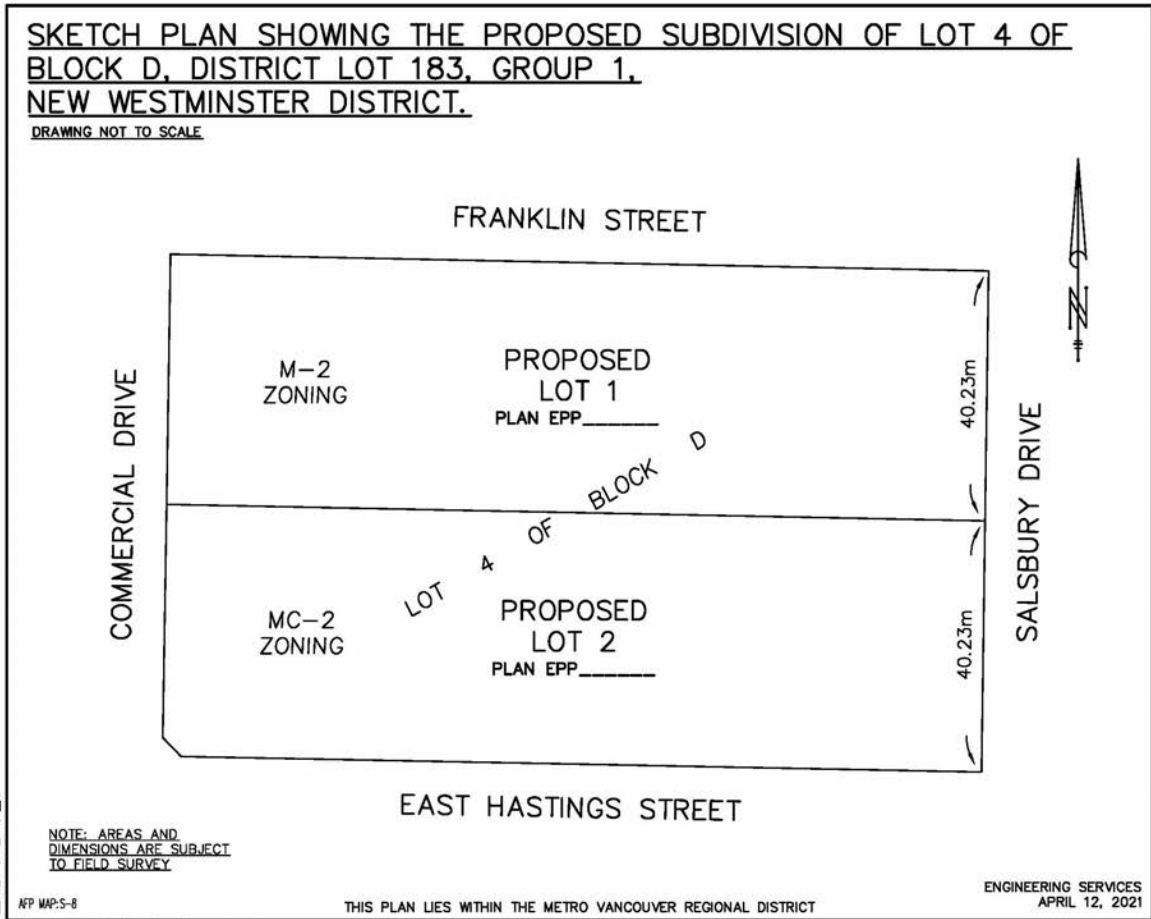
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LF12115

LF12115

SKETCH PLAN SHOWING THE PROPOSED SUBDIVISION OF LOT 4 OF
BLOCK D, DISTRICT LOT 183, GROUP 1,
NEW WESTMINSTER DISTRICT.

DRAWING NOT TO SCALE



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