



REPORT

Report Date: March 25, 2022
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Meeting Date: May 17, 2022
[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 a Portion of Lane Adjacent to 2631 to 2685 Victoria Drive and 1837 to 1853 East 11th Avenue

RECOMMENDATION

- A. THAT Council close, stop-up and convey to the owner of 2631 to 2685 Victoria Drive and 1837 to 1853 East 11th Avenue (the "Abutting Lands", as described in Appendix A) that approximately 136.0 square metre portion of abutting lane (the "Lane"), 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 \$796,050 be credited to the Property Endowment Fund (PEF).

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

REPORT SUMMARY

The purpose of this report is to seek Council Authority to close, stop-up and convey the Lane to the owner of the Abutting Lands.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

The authority for closing and disposing of street and lanes is set out in 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 November 23, 2021, 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.

The designation of the heritage building was achieved with the enactment of a Heritage Designation By-Law (By-law No. 12325) on December 4, 2018.

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 the foregoing.

REPORT

Background/Context

A previous rezoning application for an 11-storey residential building and retention of an on-site heritage building was approved for this site, in principle, following the Public Hearing on July 10, 2018. The administrative report for the Closure and Sale of a Portion of Lane Adjacent to 2631 to 2685 Victoria Drive and 1837 to 1853 East 11th Avenue was approved by Council on April 23rd, 2019; however, the transfer of the lane to the previous owner of the abutting lands was never concluded and the rezoning for the 11-storey residential building was never enacted.

Since this development site is being rezoned with a new form of development and is under new ownership, staff believe that Council approval is required for the closure and sale of the portion of lane.

The Lane is part of the existing lane system in the subject block, and was dedicated to the City upon registration of Plan 2728 in 1910. The lane has provided access and has served as a utility corridor for the dwellings at 2631 to 2685 Victoria Drive, and the dwelling at 1853 East 11th Avenue.

The Abutting Lands owner has made application to purchase the Lane in conjunction with an application to rezone the site from RM-4 to CD-1. The rezoning application, which is consistent with the Grandview-Woodland Community Plan, the Vancouver Housing Strategy, and the Heritage Action Plan, Policies and Guidelines, proposes the retention and conversion of the existing designated heritage building and the construction of a new six storey building, for a total of 136 secured market rental units.

The Lane bisects the rezoning site and the Lane closure and sale is therefore essential to the project. The closure and sale of the Lane, the dedication of portions of the site to the City for road and lane purposes, and the consolidation of the remainder of the Abutting Lands with the Lane have been established as prior-to enactment conditions of the rezoning.

Strategic Analysis

The closure and sale of the Lane is essential to the rezoning application and is consistent with the corresponding development proposal. An Engineering Services review of this matter has concluded that the Lane is surplus and available for sale to the Abutting Lands owner, subject to the conditions noted in this report.

Real Estate Services staff negotiated a sale price of \$796,050 plus applicable taxes, based upon the market value of immediately adjacent residentially zoned lands. The Director of Real Estate Services advises that the sale price represents fair market value for the Lane to be conveyed to the Abutting Lands owner.

The Abutting Lands owner will be responsible for all costs, plans, document and Land Title Office fees required to complete the conveyance. The conveyance of the Lane to the owner of the Abutting Lands will be completed concurrently with the registration at the Land Title Office of all documents required to effect the rezoning.

Implications/Related Issues/Risk (if applicable)

Financial

The Director of Real Estate Services has negotiated a sale of the Lane for \$796,050 plus applicable taxes. The Director of Real Estate Services advises that the sale price represents fair market value for the Lane to be conveyed to the Abutting Lands owner. The sale proceeds of \$796,050 will be credited to the PEF.

In accordance with the Miscellaneous Fees By-Law, a Road Closure Fee of \$11,660.00 will be charged and collected from the Abutting Lands owner.

CONCLUSION

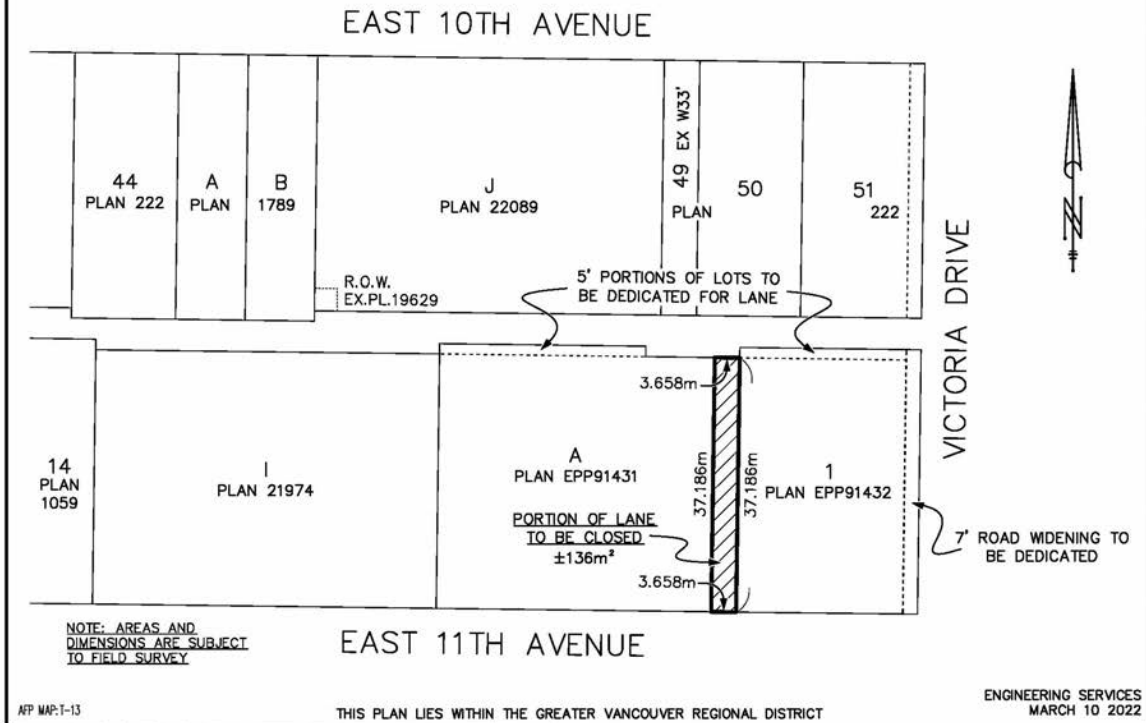
The General Manager of Engineering Services, in consultation with the Director of Real Estate Services, recommends approval of the Recommendation contained in this report.

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1. The Lane to be closed is to be consolidated with the Abutting Lands ([PID: 030-772-079] Lot A Plan EPP91431 and [PID: 030-772-087] Lot 1 Plan EPP91432, both of Block 162 District Lot 264A Group 1 New Westminster District) to create a single parcel, portions of which will then be dedicated as new road and lane, as required pursuant to the rezoning prior to enactment conditions, the same as generally shown within the heavy outline on Appendix B, to the satisfaction of the Director of Legal Services and the Approving Officer;
2. Registration of a temporary Statutory Right of Way agreement over the Lane for public utility purposes, to be discharged upon abandonment and/or relocation of all existing utilities within the Lane;
3. Submission of written consents to the proposed lane closure from affected utility companies, and confirmation of arrangements to address associated utility relocations and site servicing requirements;
4. The Abutting Lands owner to pay \$796,050 plus applicable taxes for the Lane, in accordance with the recommendation of the Director of Real Estate Services;
5. The Abutting Lands owner to pay \$11,660.00 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 Director of Legal Services;
9. 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.

**SKETCH PLAN SHOWING PROPOSED CLOSURE AND SALE OF A PORTION
OF ROAD ADJACENT TO LOT A, BLOCK 162, DISTRICT LOT 264A,
PLAN EPP91431, GROUP 1, NEW WESTMINSTER DISTRICT.**

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



APPENDIX 'B'

Y:\LAND_SURVEY\APP\2022\DWG\F12045 - Proposed Road Close - Victoria_E11th.dwg (APPENDIX B)