



COUNCIL REPORT

Report Date: June 23, 2023
Contact: Lon LaClaire
Contact No.: 604.873.7336
RTS No.: 15601
VanRIMS No.: 08-2000-20
Meeting Date: July 25, 2023
[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: Marpole Transit Centre – 9001 Heather Street – Road Exchange

Recommendations

- A. THAT Council close, stop-up and convey approximately 4160 square metre portion of Heather Street, the same as generally shown in bold outline on the plan attached as Appendix “A” (the “City Exchange Lands”) to TransLink, the owner of the adjacent lands described in Appendix B, collectively the (“MTC Lands”).
- B. THAT the approximately 4370 square metre portion of Lot B generally shown hatched on the plan attached as Appendix “A” (the “TransLink Exchange Lands”) be transferred to the City and dedicated as road.
- C. THAT the land exchange be completed on an equivalent land value for land value basis such that no purchase money changes hands for the road closure and conveyance (as outlined in Recommendation A) or the road transfer and dedication of road (as outlined in Recommendation B) of said portions.
- D. THAT Recommendations A, B, and C, be subject to the additional terms and conditions described in Appendix “C”.

Purpose and Executive Summary

The purpose of this report is to seek Council authority to close, stop-up, and convey the City Exchange Lands for consolidation with the MTC Lands in exchange for the transfer to the City and dedication as road of the MTC Exchange Lands. With the acquisition of the TransLink Exchange Lands, public access is improved via the extension of Laurel Street, while providing a contiguous development site and improved access for TransLink’s proposed transit facility.

Council Authority/Previous Decisions

The authority for closing and disposing of streets and lane is set out in the Vancouver Charter.

City Manager's Comments

The City Manager concurs with the foregoing recommendations.

Context and Background

TransLink, Metro Vancouver's regional transportation authority, is proposing to construct a vehicle maintenance operation centre under Development Permit No. DP-2022-00957 (the "Marpole Transit Centre" (MTC)) to expand service coverage and capacity in the Lower Mainland. MTC is designed to facilitate the administration and maintenance of a combined fleet of 300 battery electric and conventionally powered buses, plus 25 agency support vehicles. MTC will be located on an M-2 zoned industrial site located between W. Kent Avenue South and the Fraser River, adjacent to the Canada Line Bridge and currently bisected by Heather Street.

DP-2022-00957 underwent an enhanced public engagement process which included notification cards and emails, associated signage, and a virtual open house. This item was subsequently presented and approved at the Development Permit Board Meeting on May 1st, 2023 where members of the public were able to speak on the Development Application.

In order to create a single contiguous development site, this report seeks authority to stop-up, close and convey that portion of Heather Street (City Exchange Lands) with a comparable portion of the site along the western boundary (TransLink Exchange Lands) to be dedicated for road purposes creating an extension of Laurel Street south to the Fraser River.

The portion of Heather Street to be closed was dedicated as road on Plan 3038 on March 31, 1910 and on Plan 22095 on January 30, 1989.

Discussion

The recommendations contained in this report support the broader public benefit of obtaining a better transportation network and public access to the Fraser River.

Engineering Services has conducted a review and found that the closure and sale of the City Exchange lands can be supported subject to the Recommendations and additional terms and conditions detailed in Appendix C.

The Director of Real Estate Services and TransLink have entered into a conditional Land Exchange Contract to facilitate the exchange. TransLink will be responsible for all costs, plans, documents and Land Title Office fees required to complete the conveyance. The City receives improved access to the Fraser River and TransLink is left with a contiguous parcel of land to develop. In addition, TransLink is to provide a 3 metre road widening dedication along West Kent Avenue South and a 10 metre road dedication for the continuation of West Kent Avenue South along the northern portion of the site connecting Laurel Street with Ash Street and the Canada Line pedestrian-cycle bridge to accommodate a 3.0 metre sidewalk, 3.0 metre bi-

directional bike path, plus landscaped buffer/boulevard within the 10 metre road dedication on West Kent Avenue South, as shown cross-hatched on the plan attached as Appendix “A”.

The recommendations contained in this report support the broader public benefit of obtaining a better road network for the properties located along West Kent Avenue South, which includes the proposed Marpole Transit Centre.

Financial Implications

Land exchange to be completed on an equivalent land value for land value basis such that no purchase money is to be paid for the property by either the City or TransLink. With the proposed land exchange the City will receive a net gain in area, and in the opinion of the Director of Real Estate Services represents good value.

In accordance with the Miscellaneous Fees By-law, a Road Closure fee of \$12,240.00 will be charged and collected from TransLink.

Legal Implications

Council is authorized under section 291 of the *Vancouver Charter* to stop up and dispose of any street in the City. Section 291A of the *Vancouver Charter* provides that a purchaser of closed road may dedicate a portion of their land as street in exchange, and as a condition of such exchange Council may require that the closed street be consolidated with the abutting property.

Section 190 of the *Vancouver Charter* authorizes Council to dispose of City-owned property deemed surplus to the City’s needs and an affirmative vote of two-thirds of all members of Council is required to authorize the disposition of real property which exceeds \$400,000 in value. The Director of Real Estate Services is of the opinion that the value of the City Exchange Lands exceeds \$400,000.

* * * * *

The MTC Lands

Address	Parcel Identifier (PID)	Legal Description
9001 Heather Street	013-206-222	Lot B Blocks C, D, Y and Z DL 319 Plan 22095
8902 Heather Street	013-038-796	Lot E Blocks 4, C, D, Y and Z DL's 311, 319, 323 and 324 Plan 22094
8902 Heather Street	008-238-057	Lot B Block 4 DL 311 Plan 4803
8902 Heather Street	011-263-873	Lot A (Explanatory Plan 1976) Except Part in Reference Plan 3327 South Part of Block 5 DL 311 Plan 847
8902 Heather Street	009-324-534	That Part of Block 6 Lying to the South of Part in Reference Plan 3328 DL 311 Plan 847

APPENDIX C

TERMS AND CONDITIONS OF CONVEYANCE

1. The City Exchange Lands to be closed, is to be subdivided with the MTC Lands to form the new development parcel and the dedication of the TransLink Exchange Lands to create the new Laurel Street access to the Fraser River, and the dedication of the northerly 10 metres of the MTC Lands between Heather Street and Ash Street, and the dedication of the northerly 3 metres of the MTC Lands from Ash Street to the easterly boundary of the MTC Lands, to the satisfaction of the Director of Legal Services (DLS) and the Approving Officer.
2. TransLink to be responsible for all necessary survey plans, administration costs, subdivision approval application and related Approving Officer conditions, and Land Title Office fees, including a Reference Plan to Accompany Resolution of the Council of the City of Vancouver and a Subdivision Plan;
3. Arrangements to be made for the relocation of the existing storm sewer currently within the City Exchange Lands from the City Exchange Lands to the TransLink Exchange Lands, to the satisfaction of the General Manager of Engineering Services (GMES);
4. Registration of a temporary Statutory Right of Way agreement over the City Exchange Lands for public utility purposes, to be discharged once all utilities impacted by the road 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 GMES;
5. Submission of written confirmation that suitable tenure has been secured from the Province of British Columbia for the adjacent Crown lots to facilitate the foreshore protection works and accommodate a potential foreshore trail, to the satisfaction of the GMES and the DLS;
6. Secure an amendment to the Canada Line Access Agreement dated November 30, 2004 between the City and TransLink as amended, to ensure TransLink's continuing access over that portion of the area shown on Plan BCP27924 as set out in SRW BB456579 that is subject to the dedication of the northerly 3 metres of the MTC Lands;
7. Arrangements to be made for entry into a Flood Protection, Shoreline and Habitat Works Agreement, to the satisfaction of the GMES;
8. Arrangements to be made for entry into a Public Access Works Agreement for access to the foreshore of the Fraser River, to the satisfaction of the GMES;
9. Arrangements to be made for entry into a Railway Crossing Agreement for railway crossings at West Kent Avenue with Laurel Street, Heather Street and Ash Street, to the satisfaction of the GMES;
10. Arrangements to be made for entry into a Services Agreement for certain works and services which form part of, but are not limited to the road exchange that are required in

connection with the proposed development of the MTC Lands, complementary or in addition to those works and services required in connection with the Development Permit application, all to the satisfaction of the GMES;

11. TransLink, as owner of the MTC Lands, will pay the Road Closure Fee (\$12,240.00, as per the Miscellaneous Fees By-law);
12. The Director of Legal Services or the Director of Real Estate Services, as applicable, to execute all plans, transfers and documents as required;
13. Any agreements are to be drawn to the satisfaction of the Director of Legal Services;
14. No legal right or obligation shall be created and none shall arise hereafter until the documents are executed by the parties thereto;

END OF DOCUMENT