



COUNCIL REPORT

Report Date: January 23, 2024
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VanRIMS No.: 08-2000-20
Meeting Date: February 27, 2024
[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 5025 Arbutus Street, 2126 West 34th Avenue and 2109-2129 West 35th Avenue

Recommendations

- A. THAT Council close, stop-up and convey to the abutting owner of 5025 Arbutus Street, 2126 West 34th Avenue and 2109-2129 West 35th Avenue (the 'Abutting Lands', as described in Appendix B) an approximately 254.2 square metre portion of lane, the same generally shown within the hatched area on the plan attached as Appendix A (the "Lane Portion"), subject to the terms and conditions noted in Appendix B.
- B. THAT the sale proceeds of \$1,100,000.00 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.

Purpose and Executive Summary

This report seeks Council authority to close, stop-up, and convey the Lane Portion to the owner of the Abutting Lands for consolidation with the Abutting Lands. It has been determined that the Lane Portion is no longer required for municipal purposes.

The conveyance of the Lane Portion to the owner of the Abutting Lands will enable the development of a five-storey market rental building in accordance with the *Secured Rental Policy*.

The negotiated sale price of the Lane Portion reflects the fair market value based on the value of comparable properties.

Council Authority/Previous Decisions

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

It is Council policy and practice that property assets declared surplus to the City's needs be transferred to the PEF or are sold and with the proceeds credited to the PEF.

At [Public Hearing on April 27, 2023](#), 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's Comments

The City Manager concurs with the foregoing recommendations.

Context and Background

The owner of the Abutting Lands has made an application to purchase the Lane Portion in conjunction with a rezoning application to allow for the development and construction of a five-storey purpose-built market rental building with one level of underground parkade in accordance with the *Secured Rental Policy*.

The Lane Portion, which was dedicated to the City upon the registration of Subdivision Plan 4855 in 1919, forms part of the existing lane alignment within the subject block. Immediately west of the Abutting Lands is Ravine Park, which consists of Lots C & D, Plan 4855 and includes a portion of dedicated lane between such park parcels. This section of lane as part of Ravine Park has never been constructed, resulting in the Lane Portion remaining as a dead-end lane providing rear access solely to the Abutting Lands.

The current lane alignment bisects the proposed development site making the closure and sale of the Lane Portion essential to the success of this secured rental project.

The closure and sale of the Lane Portion, the dedication of the 17' building line along Arbutus Street, and the consolidation of the Abutting Lands with the Lane Portion have been established as conditions under rezoning application RZ-2022-00028.

Discussion

Engineering Services has conducted a comprehensive review and has determined 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 B of this report.

The Director of Real Estate Services has negotiated a sale of the Lane Portion for \$1,100,000.00 plus applicable taxes based on comparable land values. The Director of Real Estate Services advises that the sale price represents fair market value for the Lane Portion to be conveyed to the Abutting Lands owner. The sale proceeds of \$1,100,000.00 will be credited to the PEF. The Abutting Lands owner will be responsible for all costs, plans, documents, and Land Title Office fees required to complete the conveyance.

Financial Implications

The General Manager of Real Estate, Environment and Facilities Management recommends a purchase price of \$1,100,000.00 for the Lane Portion. The sale proceeds of \$1,100,000.00 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.

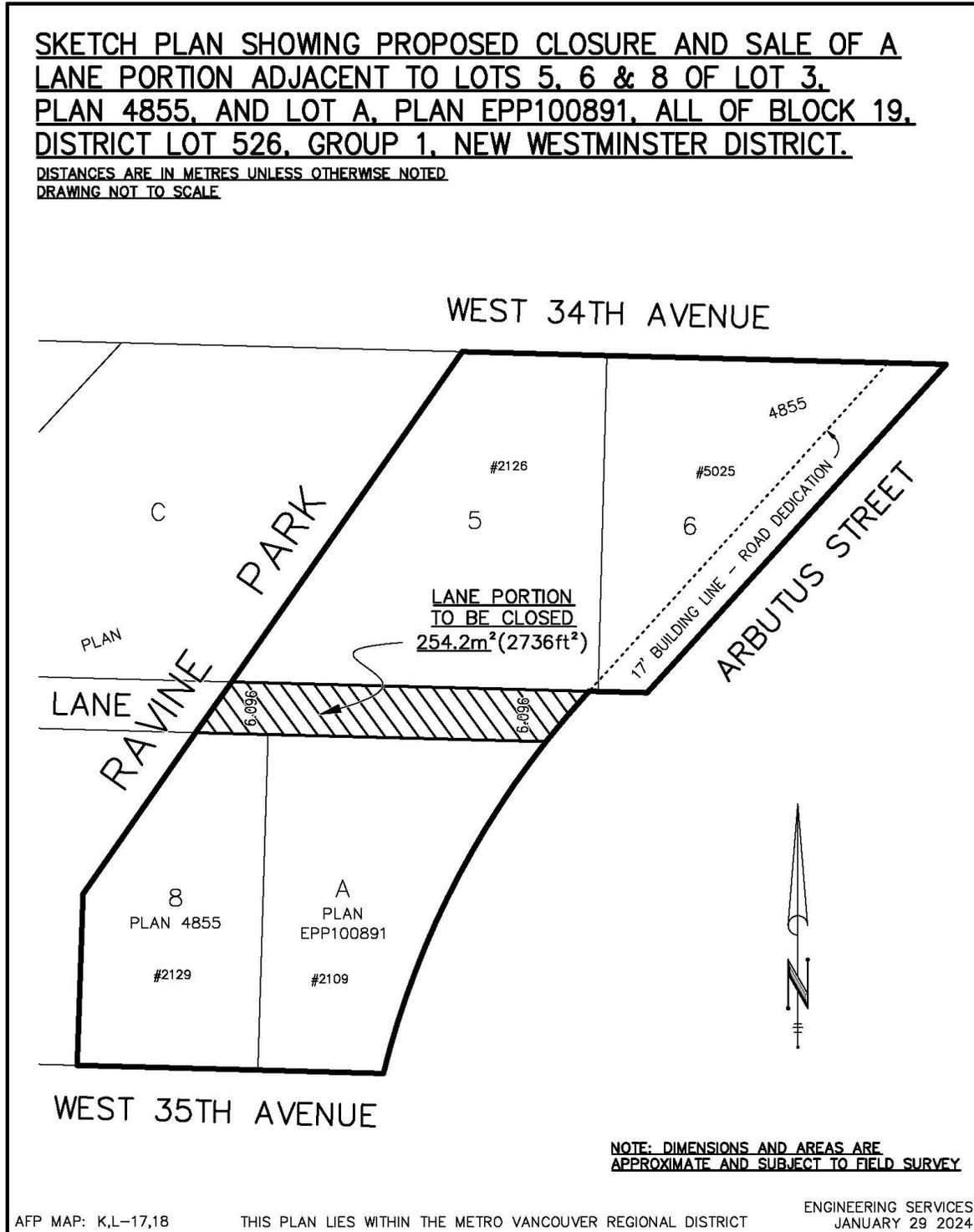
Legal Implications

There are no legal implications associated with this report's recommendations.

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APPENDIX A
Sketch of Lane Portion

LF12192



APPENDIX B
Terms and Conditions of Closure and Sale of Lane Portion

1. The approximately 254.2 square metre (2736 square foot) portion of lane to be closed is to be consolidated with the Abutting Lands;
 - i. [PID: 011-298-723] Lot 5 of Lot 3, Block 19, District Lot 526, Plan 4855 (2126 West 34th Avenue)
 - ii. [PID: 011-298-740] Lot 6 of Lot 3, Block 19, District Lot 526, Plan 4855 (5025 Arbutus Street)
 - iii. [PID: 031-082-564] Lot A, Block 19, District Lot 526, Group 1, New Westminster District, Plan EPP100891 (2109 West 35th Avenue)
 - iv. [PID: 011-298-782] Lot 8 of Lot 3, Block 19, District Lot 526, Plan 4855 (2129 West 35th Avenue)

All to form a single parcel, and to dedicate the portion within the 17' building line adjacent to Arbutus Street, the same as shown in Appendix A, 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 Portion for public access and 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 reconstruction works have been completed to the satisfaction of the General Manager of Engineering Services;
3. Suitable arrangements must be made with Engineering Services Sewer and Drainage Design branch to permanently remove the existing 150mm combined sewer and manhole within the Lane Portion and cap at the existing 600mm main. Confirm all service connections to the Abutting Lands and remove and cap at sewer main as required;
4. Submission of written consent from all affected utilities to the proposed lane closure including Fortis, Telus and BC Hydro and confirmation of appropriate arrangements to address any utility removal or relocations as required;
5. The Abutting Lands owner to pay \$1,100,000.00 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 provide payment of the Road Closure Fee in accordance with the Miscellaneous Fees By-law;
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;
and
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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