



COUNCIL REPORT

Report Date: April 9, 2024
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VanRIMS No.: 08-2000-20
Meeting Date: May 7, 2024
[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 906-982 West 18th Avenue and 907-969 West 19th Avenue

Recommendations

- A. THAT Council close, stop-up and convey to the owner of those lands described in Appendix B (the "Balfour Lands"), that approximately 736.1 square metre (7,923 square feet) portion of abutting lane as shown within the hatched area on the plan attached as Appendix A (the "Lane Portion"), subject to the terms and conditions noted in Appendix C.
- B. THAT the sale proceeds of \$3,161,156 be credited to the Capital Fund.

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 Balfour Lands for consolidation with the Balfour Lands in support of a CD-1 Rezoning Application to enable the development of the site as contemplated under a current Development Application.

It has been determined that the Lane Portion is no longer required for municipal purposes.

Council Authority/Previous Decisions

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

At Public Hearing on July 5, 21 and 26, 2022, Council approved in principle the rezoning of the Balfour Lands, subject to various By-law enactment conditions as outlined in the [Referral Report](#), 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 Balfour Lands has made an application to purchase the Lane Portion in connection with a rezoning application to allow for the redevelopment of the Balfour Lands enabling the development of a 6-storey rental building; a 6-storey condo building with a rooftop amenity and a childcare space on the ground floor; seven 3 to 4-storey townhome buildings, comprising a total of 208 residential units. A public open space is also to be provided at the southeast corner of the site.

The Lane Portion, which was dedicated to the City on Plan 4121 in 1912, remains unconstructed and currently contains only above ground utility infrastructure. The existing lane alignment bisects the proposed development site making the closure and sale of the Lane Portion essential to the success of this project.

The closure and sale of the Lane Portion, the dedication of a 10' x 10' corner cut of Lot A, Plan 8952, and the consolidation of the Lane Portion with the Balfour Lands have been established as conditions under rezoning application RZ-2020-00047.

Discussion

Engineering Services has conducted a comprehensive review and determined that the Lane Portion is surplus to civic needs and is available for sale to the Balfour Lands owner, subject to the conditions detailed in Appendix B of this report.

An independent third party appraisal of market value has been conducted on the Lane Portion. The Director of Real Estate Services advises that the negotiated sale price of \$3,161,156 represents fair market value for the Lane Portion to be conveyed to the Balfour Lands owner. The Balfour 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 for the Road Portion of \$3,161,156.

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

Legal Implications

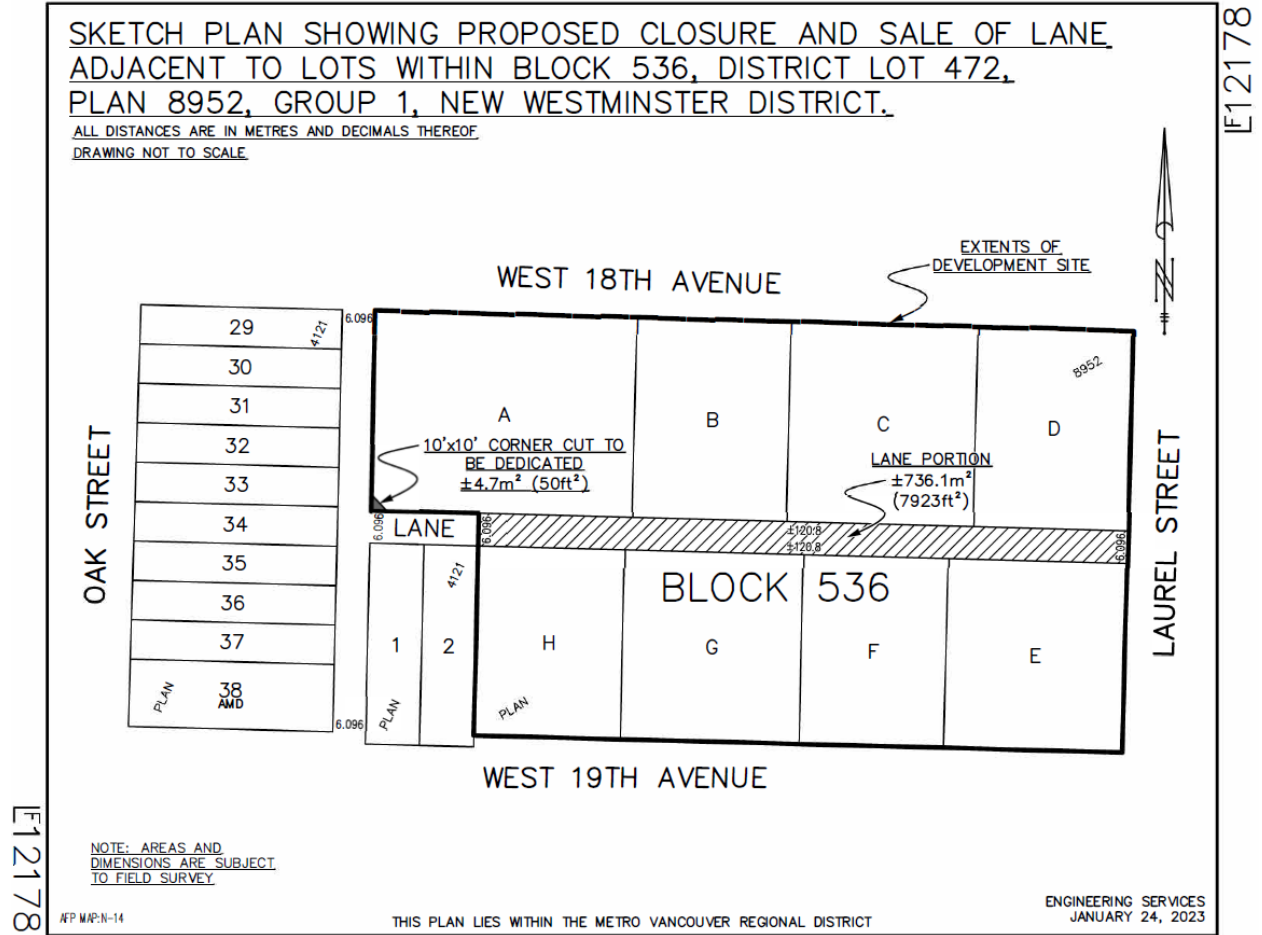
There are no legal implications associated with this report's recommendations.

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APPENDIX A

SKETCH PLAN SHOWING PROPOSED CLOSURE AND SALE OF LANE ADJACENT TO LOTS WITHIN BLOCK 536, DISTRICT LOT 472, PLAN 8952, GROUP 1, NEW WESTMINSTER DISTRICT.

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



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APPENDIX B

The Balfour Lands

Address	Parcel Identifier (PID)	Legal Description
906 West 18 th Ave	009-875-832	Lot D Block 536 District Lot 472 Plan 8952
936 West 18th Ave	009-875-824	Lot C Block 536 District Lot 472 Plan 8952
952 West 18th Ave	009-875-816	Lot B Block 536 District Lot 472 Plan 8952
966 West 18th Ave	009-875-794	Lot A Block 536 District Lot 472 Plan 8952
907 West 19 th Ave	009-876-111	Lot E Block 536 District Lot 472 Plan 8952
935 West 19th Ave	009-876-120	Lot F Block 536 District Lot 472 Plan 8952
951 West 19th Ave	009-876-138	Lot G Block 536 District Lot 472 Plan 8952
961 West 19th Ave	009-876-146	Lot H Block 536 District Lot 472 Plan 8952

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

1. The approximately 736.1 square metre (7,923 square foot) portion of lane to be closed, is to be consolidated with the Balfour Lands (as described in Appendix B) to form a single parcel, and to dedicate a 10' x 10' corner cut of Lot A, Plan 8952, the same as shown in Appendix A, to the satisfaction of the Director of Legal Services and the Approving Officer;
2. The Balfour Lands owner to be responsible for all necessary survey plans, administration costs, 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. 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 road 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;
4. Submission of written consent from BC Hydro and Telus to the proposed lane closure and confirmation of arrangements to address utility removals, relocations and future servicing needs as required;
5. Delivery of a signed and sealed engineering report, satisfactory to the General Manager of Engineering Services, (the "Engineering Report") to the City's Development Water Resources Management (DWRM) Branch, reviewing the major overland flow paths (surface drainage) in the local area and providing confirmation that closure of the lane does not create any negative impacts (i.e. flooding) to the proposed development and adjacent and downstream sites and roads for all storm events up to and including the 1:100 year flood (1% exceedance probability). Please direct any enquiries regarding the Engineering Report to Keith Der, P.Eng., Sewers & Drainage Design Branch at Keith.Der@vancouver.ca (604-871-6430);
6. Entering into any agreements with the City that the General Manager of Engineering Services determines, in his or her sole discretion, is necessary following a review of the Engineering Report to secure the obligation of the purchaser to construct and install grading improvements in the lane east of Oak Street between W 19th Ave and W 18th Ave, additional catch basins (with or without storm sewer upgrade/extension), and/or other options identified by the purchaser and approved by the City in connection therewith, which obligations may be adjusted/expanded upon by the City's Development Water Resources Management (DWRM) Branch in their review of the report;
7. The Balfour Lands owner to pay \$3,161,156 plus applicable taxes for the Lane Portion, in accordance with the recommendation of the Director of Real Estate Services;

8. The Balfour Lands owner to pay \$11,660 for the Road Closure Fee, in accordance with the Miscellaneous Fees By-law);
9. The Director of Legal Services or the Director of Real Estate Services, as applicable, to execute all plans, transfers and documents as required;
10. Any agreements are to be drawn to the satisfaction of the Director of Legal Services; and
11. 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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