

## CITY OF VANCOUVER

### Administrative Report

Date: January 23, 2006  
Author: M.G. Thomson  
Phone No. 873.7328  
Dept. File No. 000 391  
RTS No.: 05696  
CC File No.: 13-2000-30  
Meeting Date: February 14, 2006

TO: Vancouver City Council

FROM: The General Manager of Engineering Services in Consultation with  
the Director of Real Estate Services

SUBJECT: 4372 Elgin Street  
Closure of a Portion of Lane East of Elgin Street, North from East 28<sup>th</sup>  
Avenue

#### RECOMMENDATION

- A. THAT Council close, stop-up and convey to the abutting owner all that portion of the lane east of Elgin Street, north from East 28<sup>th</sup> Avenue adjacent to 4372 Elgin Street (PID: 014-431-157; Lot 43, Except the East 10 feet Now Lane, of Lots A and B, Block 19 District Lots 391 and 392 Plan 1853 ["Lot 43"]) the same as generally shown hatched on the plan attached as Appendix "A", subject to the following conditions:
1. The lane to be closed to be consolidated with the abutting Lot 43, to form a single parcel, the same as generally shown within the heavy outline of Appendix "A", to the satisfaction of the Director of Legal Services;
  2. The abutting owner to pay \$22,000 plus GST if applicable for the 330 square foot (30.7 square metre) portion of lane to be closed, in accordance with the recommendation of the Director of Real Estate Services;
  3. The abutting owner to be responsible for any necessary plans, documents and Land Title Office fees;

4. The sale proceeds to be credited to the Property Endowment Fund (the "PEF");
  5. Any agreements are to be to the satisfaction of the Director of Legal Services;
  6. 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.
- B. THAT the Director of Legal Services be authorized to execute all transfers and documents required.

If Council approves this report, the Formal Resolution to close this portion of lane east of Elgin Street, north from East 28<sup>th</sup> Avenue will be before Council later this day for approval.

#### COUNCIL POLICY

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

#### PURPOSE

The purpose of this report is to acquire Council authority to close, stop-up and convey a small portion of the lane east of Elgin Street, north from East 28<sup>th</sup> Avenue adjacent to Lot 43 at 4372 Elgin Street.

#### BACKGROUND

The owner of Lot 43 at 4372 Elgin Street has made application to purchase a 10 foot wide portion of lane east of Elgin Street, north from East 28<sup>th</sup> Avenue adjacent to Lot 43.

The City had been the owner of the whole of Lot 43 under title 24360K, acquiring Lot 43 on October 15, 1926, as the then Corporation of the District of South Vancouver. On April 10, 1945 Council resolved to sell Lot 43 Except the East 10 feet to be established as lane. The said portion of lane (PID: 014-436-370; The East 10 feet of Lot 43 of Lots A and B Block 19 District Lots 391 and 392 Plan 1853 [the "East 10 feet of Lot 43"] was established as lane by document filed 39801 deposited in the Land Title Office on April 27, 1945.

#### DISCUSSION

At this location the lane is 30 feet wide and our requirement for this lane is only to be 20 feet wide, consistent with our City standard. Therefore the residual strip, the East 10 feet of Lot 43 is no longer required for lane purposes and could be closed, stopped-up and conveyed to the owner of the abutting Lot 43.

The Director of Real Estate Services has negotiated a sale of the East 10 feet of Lot 43 as shown hatched on Appendix "A" for \$22,000 plus GST if applicable. The Director of Real Estate Services advises that the sale price of \$22,000 represents fair market value for the (330 square feet, 30.7 square metres) portion of lane to be conveyed. The owner of Lot 43 will be responsible for all costs, plans, documents and Land Title Office fees required to complete the conveyance. The purchase price will be credited to the PEF.

The portion of lane to be closed is contiguous to Lot 43 and the closure will not interfere with lane access to the neighbouring properties. Staff therefore recommends that all of the East 10 feet of Lot 43 be closed, stopped-up and conveyed to the owner of abutting Lot 43. The owner of Lot 43 has obtained a letter of support from the owners of 4356 Elgin Street, to the north of Lot 43, indicating no objections to the closure and sale.

#### **CONCLUSION**

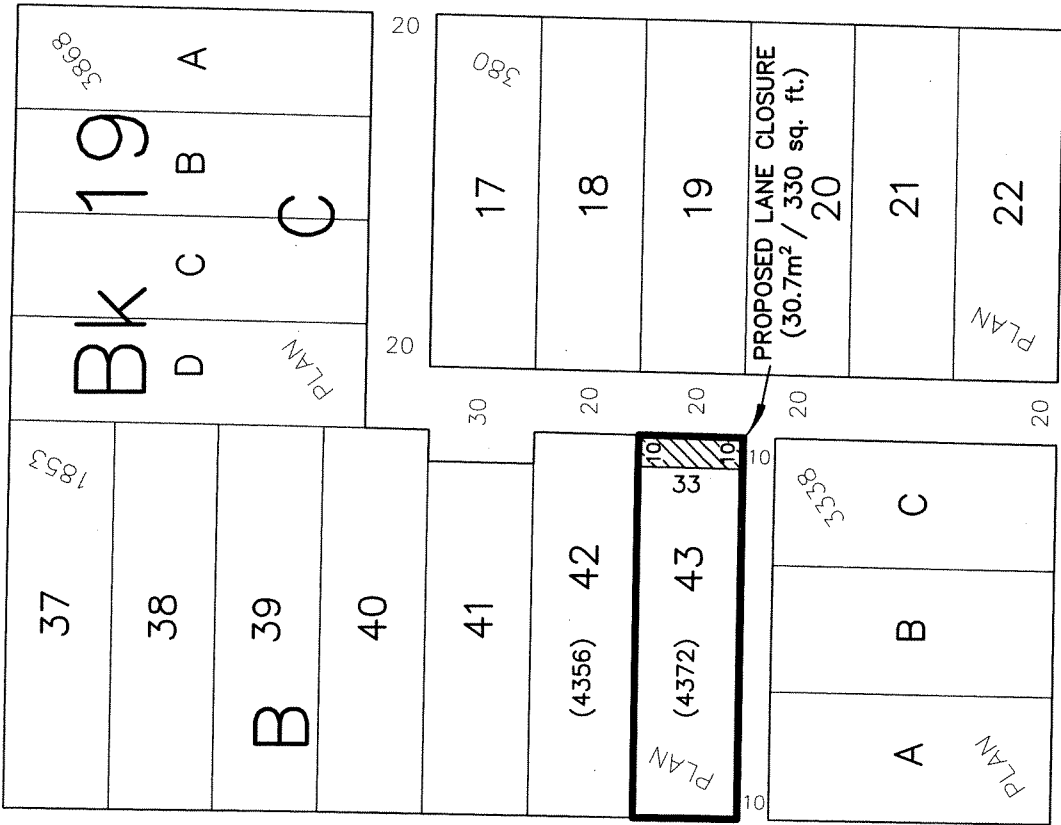
The General Manager of Engineering Services in consultation with the Director of Real Estate Services recommends approval of Recommendations A and B.

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APPENDIX A

EAST 27TH AVENUE

ROSS STREET



EAST 28TH AVENUE

ELGIN STREET

