



ADMINISTRATIVE REPORT

Report Date: March 14, 2014
Contact: Al Zacharias
Contact No.: 604.873.7214
RTS No.: 10459
VanRIMS No.: 08-2000-20
Meeting Date: April 15, 2014

TO: Vancouver City Council

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

SUBJECT: Closure and Sale of a Portion of Lane Adjacent to 1412-1480 Howe Street

RECOMMENDATION

THAT Council close, stop-up and convey to the owners of 1460 Howe Street and 710 Pacific Street, (Howe Street Ventures Ltd. (“Westbank”)) that approximately 776.4 square metre portion of lane, as generally shown bold outlined and hatched on the sketch attached as Appendix B (the “City Lane”), to be subdivided with the abutting lands, subject to the terms and conditions as noted in Appendix A.

FURTHER THAT, the conveyance of the City Lane to Westbank be subject to the terms and conditions of the Sale Contract between the City and Westbank dated September 25, 2012, and the prior to enactment conditions of the CD-1 Rezoning of 1412-1480 Howe Street, 1429 Granville Street, 710 Pacific Street and 1410 Granville Street approved in principle by Council on October 29, 2013 (the “Rezoning Application”).

REPORT SUMMARY

The purpose of this report is to seek Council Authority to close, stop-up and convey the City Lane to Westbank in support of the CD-1 Rezoning Application.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

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

Under the Granville Bridge Neighbourhood Commercial Centre Policy and Guidelines - December, 2006.

Granville Loops Policy Plan - January, 2009.

On May 1, 2012, Vancouver City Council (Administrative Report - RTS 9463) approved the sale of City owned lands at 1412-1450 Howe Street, 1410 and 1429 Granville Street and the City Lane to Westbank. The sale of the City Lane was to be subject to the further condition that Council approve the stopping-up, closure and conveyance of the City Lane to the abutting owner.

On October 29, 2013, Vancouver City Council approved in principle the rezoning of 1412-1480 Howe Street, 1429 Granville Street, 710 Pacific Street and 1410 Granville Street subject to conditions including but not limited to the closure and sale of the City Lane.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The General Manager of Engineering Services (“GMES”) and the General Manager of Real Estate and Facilities Management recommend approval of the forgoing.

REPORT

Background/Context

In 2010, the City was approached about the possibility of including the City-owned lands (1412-1450 Howe Street, 1429 Granville Street and a portion of adjacent lane) as part of a larger site assembly and consolidation of the block bounded by Pacific Street, Granville Street, Beach Avenue and Howe Street. On May 1, 2012, Vancouver City Council approved the sale of City owned lands at 1412-1450 Howe Street, 1410 and 1429 Granville Street (the “City Lands”) and the City Lane to Westbank.

In concert with the Rezoning Application, the Director of Real Estate Services has executed a purchase and sale agreement with Westbank to purchase the City Lane and abutting City Lands as generally shown bold outlined on the sketch attached as Appendix C.

The closure and sale of the City Lane and the dedication of the new roads to the City are prior-to enactment conditions of the Rezoning Application.

The City Lane consists of a number of parts that were acquired by the City for lane purposes in 1894, 1951, and 1966. Appendix D shows the City Lane and the new roads to be dedicated to the City for the existing Howe Street on ramp, the Seymour Street off-ramp, Granville Street and the Pacific Street widening. Appendix F shows the general site location and Appendix E shows a 2013 aerial photo of the site.

Strategic Analysis

The closure and conveyance of the City Lane to Westbank is essential to the development proposal and consistent with the Rezoning Application. The resultant lot configuration and road network will accommodate the existing bridge structures, required utilities and provide suitable access to the development site and neighbouring properties. The GMES has determined that, subject to the conditions noted in this report, the City Lane is surplus and available for sale to Westbank.

Implications/Related Issues/Risk (if applicable)

Financial

The prior-to enactment conditions of the Rezoning Application requires the closure and sale of the City Lane in conjunction with the sale of the City Lands, and the dedication of the new roads to the City to create the required road network. The value of the City Lane has been incorporated in the overall value of the land sale approved by Council on May 1, 2012.

CONCLUSION

The GMES, in consultation with the Director of Real Estate Services, recommends approval of the Recommendations contained in this report.

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TERMS AND CONDITIONS OF CONVEYANCE

1. The City Lane to be closed is to be subdivided, to the satisfaction of the Director of Legal Services (the "DLS") and the Approving Officer with the following properties:

PID	Legal Description
007-687-915	Lot G Block 122 District Lot 541 Plan 15118
015-505-162	Lot 4 Block 122 District Lot 541 Plan 210
015-505-189	Lot 5 Block 122 District Lot 541 Plan 210
015-505-201	Lot 6 Block 122 District Lot 541 Plan 210
015-505-219	Lot 7 Block 122 District Lot 541 Plan 210
015-505-235	Lot 8 Block 122 District Lot 541 Plan 210
015-505-278	Lot 9 Block 122 District Lot 541 Plan 210
015-505-286	Lot 10 Block 122 District Lot 541 Plan 210
009-422-111	Lot 11 Block 122 District Lot 541 Plan 210
009-422-129	Lot 12 Block 122 District Lot 541 Plan 210
010-068-091	Lot A Block 122 District Lot 541 Plan 8486
008-907-251	Lot D Block 122 District Lot 541 Plan 12338
002-647-214	Lot H Block 122 District Lot 541 Plan 20641
009-625-101	Lot 1 Block 123 District Lot 541 Plan 9597
009-625-119	Lot 2 Block 123 District Lot 541 Plan 9597
009-625-135	Lot 3 Block 123 District Lot 541 Plan 9597

(collectively, the "Development Lands");

2. Dedication of the following portions of the Development Lands to the City for road purposes:

- a) Lot 1 and Lot 3 both of Block 123 District Lot 541 Plan 9597;
- b) the easterly 10 foot wide jogged-out portions of Lot D Block 122 District Lot 541 Plan 12338 and Lot H Block 122 District Lot 541 Plan 20641;
- c) the areas under the Howe Street, Granville Street and Seymour Street bridge ramps extending to 3 metres outside the bridge ramp drip-lines;

A statutory right of way in favour of the City over all or a portion of the area 3 m west of the westerly on-ramp drip-line for bridge maintenance and inspections may be approved by the GMES in order to reduce the dedication area and to accommodate portions of the below-grade parkade proposed within the 3 m buffer area.

- d) the approximate 5.3 m northerly portion of Lot G Block 122 District Lot 541 Plan 15118;

- e) the approximate 2.5 m northerly portion of both Lot D Block 122 District Lot 541 Plan 12338 and Lot 2 Block 123 District Lot 541 Plan 9597;

A statutory right of way in favour of the City over an additional 3 metre portion of the northerly part of Lot D and Lot 2 for sidewalk purposes is required to accommodate portions of below-grade parkade.

See hatched dedication areas on the sketch attached as Appendix "D".

3. Written confirmation from all outside utility companies (including BC Hydro, Fortis, Telus and Shaw Cable) that arrangements have been made to accommodate their services and that they have no objection to the closure and sale of the City Lane to the satisfaction of the GMES;
4. A temporary statutory right of way over the City Lane in favour of the City for lane and all utility purposes is required and may be discharged when all existing public and private utility infrastructure has been abandoned or re-located and the lane is no longer required for public access to the satisfaction of the GMES and the DLS;
5. The owner to be responsible for all necessary survey plans, administration costs and Land Title Office fees;
6. The DLS or the Director of Real Estate Services, as applicable, be authorized to execute all plans, transfers, and documents as required;
7. Any agreements are to be to the satisfaction of the Director of Legal Services;
8. No legal right or obligation shall be created and none shall arise hereafter, until the documents are executed by the parties thereto.









