

ITEM 12
MANAGER'S REPORT NO. 60
COUNCIL MEETING Aug. 13/73

12. Re: Proposed Property Acquisitions
Beaverbrook Drive Extension Alignment

Following is a report from the Director of Planning regarding the proposed acquisition of two properties on Cameron Street.

RECOMMENDATIONS:

THAT the Land Agent be authorized to negotiate for the acquisition of the two subject properties with the understanding that such acquisitions would not prevent continued discussions with the Sullivan Heights Ratepayers' Association, nor commit Council to the construction of the revised Beaverbrook Drive Extension Alignment; and

THAT a copy of this report item be forwarded to the Sullivan Heights Ratepayers' Association.

* * * * *

PLANNING DEPARTMENT
AUGUST 9, 1973

- RE: Proposed Property Acquisition
- Mr. Turner - Lot 2, Block 19 of Lot 6, Group 1,
Plan 6105, N.W.D.
9289 Cameron Street
 - Mr. Epp - Parcel B, Block 19 of Lot 6, Group 1,
Expl. Plan 15372, Plan 6105
 - Lot 1, Block 19 of Lot 6, Group 1,
Ex. Parcel B, Expl. Plan 15372 and Ex.
Pl. 17450, Plan 6105
9211 and 9237 Cameron Street
 - Community Plan 'G'

BACKGROUND

With reference to the Clerk's letter of June 27, 1973, Council at its June 25, 1973 meeting requested a report explaining the situation concerning the Beaverbrook Drive Extension in relation to Council's position on this matter and in relation to potential property acquisition for proposed road rights-of-way in this area.

Council has approved the Community Plan for Area "G", dated July 13, 1970, which outlined an overall road pattern for this area including the Beaverbrook Drive Extension (Sketch #2). The Community Plan noted:

"The construction of an east-west collector between Sullivan Street and Cameron Street which would extend from North Road to East Lake Drive and form the notherly portion of the collector loop. It would also provide a desirable vehicular link between the proposed major residential development west of Stoney Creek ravine and the major commercial core area to the south-east. Further, the introduction of this road would also provide a logical boundary between proposed multiple family development to the south and existing single-family development to the north."

Proposed Property Acquisition (Continued)

The 6-Year Capital Improvement Program for 1972-1977, Major Road Project (Schedule C) approved by Council set aside funds for the acquisition of property within the proposed right-of-way extension for 1973 and funds for the construction of this extension in 1974.

The Revised 6-Year Capital Improvement Program for 1973-1978 adopted by Council on April 24, 1973 continued to set aside funds for property acquisition in 1973 and for construction of the proposed extension of Beaverbrook Drive. However it was noted that this project and eventual alignments were currently under study by the Planning Department in consultation with the Sullivan Heights residents.

RAMIFICATIONS OF REZONING #47/72

A townhouse rezoning proposal in the vicinity of Noel Drive and Cameron Street (RZ#47/72) (Sketch #3) received a Public Hearing on October 24, 1972 at which time a number of residents expressed opposition to the subject rezoning and dissatisfaction with the existing traffic situation in this area, including the original Beaverbrook Extension Alignment. The developer requested that his rezoning be retabled so that he could work with residents in the area in developing a suitable project. The developer was unable to work out a suitable project and the rezoning has been held in abeyance since that time.

Since October of 1972, the owners (Mr. Epp and Mr. Turner) and/or agents of the property comprising Rezoning #47/72 have expressed continued interest in developing their property. It appears that developers have not been willing to purchase the land without a clear indication of the development potential of the site.

The Planning Department had advised the owners that discussions were being held with the residents of the area in order to work out an amenable traffic and development solution for the area which may require some adjustment to the existing Community Plan with regard to development potential of land between Cameron and Sullivan Streets. It was suggested that pressing forward with a rezoning may be inappropriate while the area was being restudied.

The owners have at the present time due to the uncertainty of development in this area and the lengthy nature of the ongoing discussions of the Planning Department with residents in this area expressed their willingness and desire to sell to the Municipality the subject properties, which in part would be required to accommodate the Beaverbrook Drive Extension. Part of these properties would be required for necessary rights-of-way whether the revised or the original Beaverbrook Alignment was decided upon.

DISCUSSIONS WITH RESIDENTS

The response of residents at the Public Hearing concerning Rezoning #47/72 has precipitated a review of the existing traffic situation in the Sullivan Heights Area and also a review of the Beaverbrook Drive Extension.

Both the Planning Department and the Engineering Department have had numerous discussions with residents in the Sullivan Heights Area concerning, primarily, methods to alleviate a perceived existing traffic problem. A new experimental signing system has been instituted

Proposed Property Acquisition (Continued)

to discourage excessive traffic through the single-family dwelling neighborhood.

As reported to Council on June 21, 1973, the Planning Department has had several meetings (March 6, 1973 and April 26, 1973) with the Sullivan Heights Ratepayers Association executive committee as well as attending general meetings of residents of this area (including May 30, 1973) concerning the road pattern in this area.

In response to the concerns of residents in this area and the meeting of April 26, 1973 a suggested road pattern (Sketch 1) was developed by the Planning Department which appeared to meet most of the residential objections. The April 26, 1973 meeting with the Ratepayers' Association was amicable and, in particular, some of the advantages of the revised Beaverbrook Extension in relation to the original alignment (Community Plan) were acknowledged. A letter of May 22, 1973 from the Ratepayers' Association expressed no strong opposition to the revised sketch but did raise points of clarification to which the Planning Department responded.

The Planning Director attended a general meeting of residents in the area on April 3, 1973, and was further convinced by the response of this meeting that the revised Beaverbrook Drive extension alignment was the most reasonable alternative and meets most of the objections to the original Beaverbrook Drive alignment outlined in the Community Plan and assented to by Council. Individual responses of residents do differ, however, including significant opposition ranging from opposition to any change in the neighborhood to opposition to specific proposals. In further discussions with residents, it appears that some even prefer the original alignment which met strong opposition previously.

Due to the continuing enquiries from the owners of the property involved in Rezoning #47/72 and the involvement of many residents in discussions on this area, the matter appeared to be reaching a head. A letter was sent to the Sullivan Heights Ratepayers' Association on June 18, 1973 urgently requesting the position of the Ratepayers Association regarding the proposed road pattern so that a report could be presented to Council. In a letter of July 31, 1973 from the Sullivan Heights Ratepayers' Association, it was explained that a committee has been working with a view to offering the membership a vote on two definite proposals. Due to summer vacations, all of the executive have not been available for discussions and it appears that a general membership meeting could not be held before early September.

In the meanwhile, however, area residents reported that the Land Agent's staff had visited certain owners in the area and that negotiations were being carried on for Municipal acquisition of properties in connection with the proposed extension. The Municipal Manager thoroughly investigated this matter, and determined that the negotiations resulting in offers to sell received from both Mr. Epp and Mr. Turner (the owners of the properties involved in RZ#47/42, Sketch #3), were the direct result of the Land Agent following up on a "For Sale by Owner" sign situated on Mr. Epp's property. This is a normal procedure used by the Land Department when property may be required by the Municipality. Other owners who were subsequently approached were contacted directly by the Land Department as they started to work in the area, knowing the Corporation's expressed interest in the area. There was, however, a shortcoming in communications because the Land Agent was at this point not aware of the

Proposed Property Acquisition (Continued)

fact that the acquisition which was previously approved by Council was on the understanding that negotiations were underway with the Sullivan Heights Ratepayers' Association and that a further report would be coming to Council on the entire subject.

The foregoing was communicated to Mr. R. H. Ramage, President of the Association, in a letter from the Manager, who went on to state that it was regretted if this had caused confusion in the area but that, in all fairness, the Land Agent would have been considered to have not performed his duties had he not followed up on a "For Sale by Owner" sign which admittedly had been on the property for some time.

PROPERTY OFFERED FOR SALE WITHIN RIGHT-OF-WAY

1. As mentioned, Mr. Epp and Mr. Turner are the property owners of the site of Rezoning #47/72. Rezoning #47/72 was a proposed low density multiple family development which is now held in abeyance. The acquisition of the two subject properties would accommodate both the original Beaverbrook Extension and the revised Beaverbrook Extension. An acceptable purchase price has been negotiated by the two owners and the Land Agent.
2. The acquisition of properties within the right-of-way is included in the Capital Improvement Program for 1973.
3. Streight and Westway, Barristers and Solicitors, have been instructed by the beneficiaries of the Turner Estate to offer Lot 2, Block 19 of Lot 6, Group 1, Plan 6105, N.W.D. for sale to the Municipality.
4. Mr. Turner has contacted the Planning Department on several occasions to request early consideration of his offer.
5. All property acquisitions concerning the Beaverbrook Extension require the specific consent of Council.

RECOMMENDATION:

The Planning Department will continue to work with the Sullivan Heights Ratepayers' Association in developing a suitable overall road pattern in this area. However in order to safeguard the option to implement the revised Beaverbrook Drive link in the future should the traffic situation in this area deteriorate further, it is recommended:

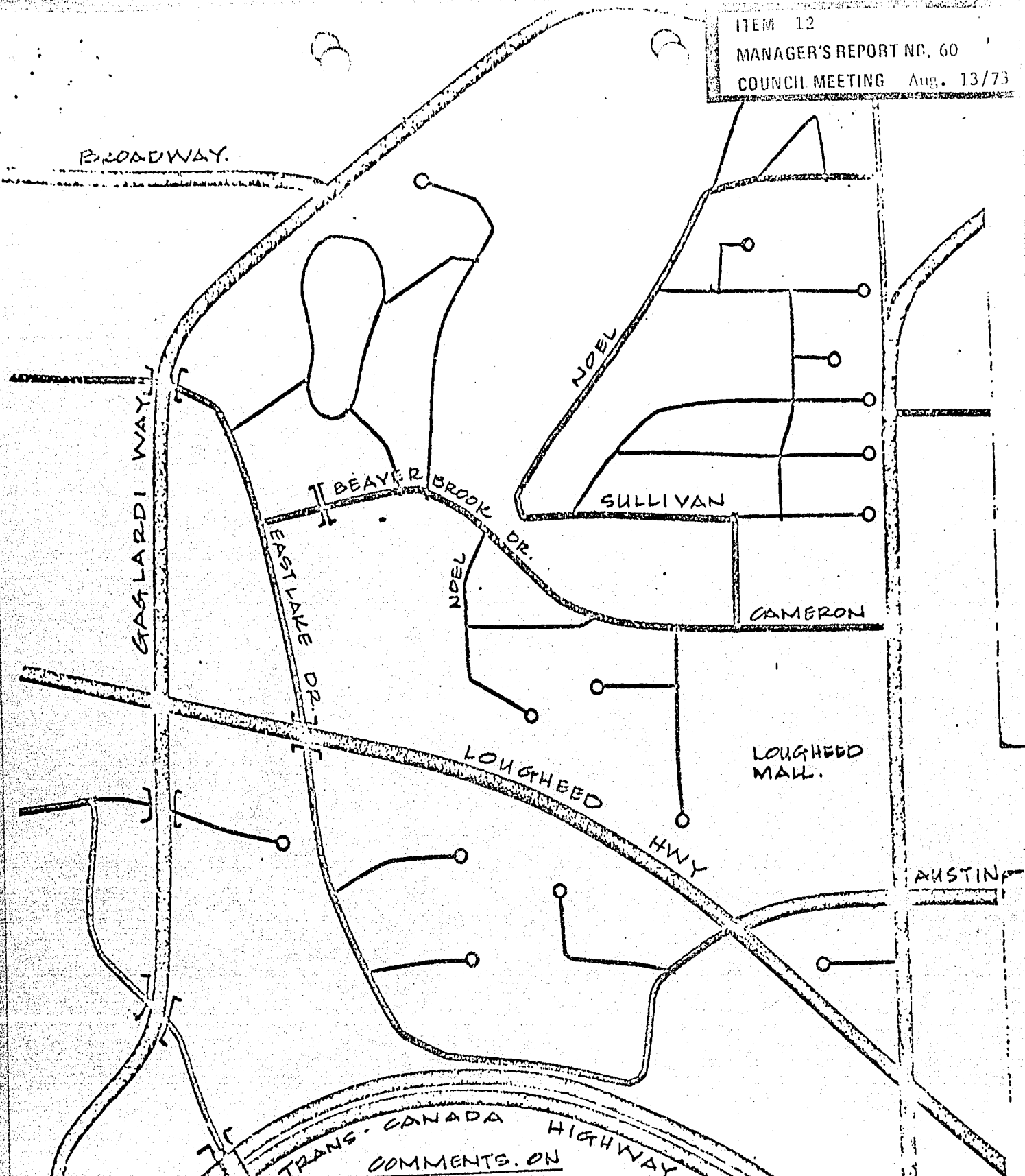
That the Land Agent be authorized to acquire the property of Mr. Epp and Mr. Turner in order to protect the revised right-of-way, as provided for in the Capital Improvement Program.

This action would be taken with the understanding that the acquisition of these two subject properties does not prevent continued discussion with the Sullivan Heights Ratepayers' Association, nor commit Council to the actual construction of the route.

Respectfully submitted

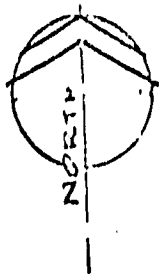

A. L. Parr
PLANNING DIRECTOR

KI/DGS/ea
Attachments
cc: Land Agent
Municipal Engineer.



COMMENTS ON SUGGESTED ROAD PATTERN:

1. A GOOD OVERALL TRAFFIC PATTERN IS PROMOTED.
2. THE RESIDENTIAL COMMUNITY IS PROTECTED FROM BLATANT THROUGH TRAFFIC. REGIONAL ROADS FRAME THIS AREA.
3. THE SULLIVAN HEIGHTS SUBDIVISION IS PROTECTED FROM THROUGH TRAFFIC.
4. ALL RESIDENTIAL ENCLAVES HAVE CONVENIENT ACCESS TO LOUGHEED MALL WITHOUT HAVING TO USE MAJOR ROADS.
5. THE CAMERON ALIGNMENT AS SHOWN WOULD DENOTE A DISTINCT BOUNDARY BETWEEN THE SINGLE FAMILY DWELLING AREA TO THE NORTH (AND COMPATIBLE DEVELOPMENT) - AND THE APARTMENT AND COMMERCIAL AREAS TO THE SOUTH.
6. TRAFFIC WOULD BE MINIMIZED ON NOEL DR. BOTH NORTH AND SOUTH OF THE BEAVERBROOK DRIVE INTERSECTION.



SCALE: 1" = 200'

DIAGRAMMATIC SKETCH
 ROADS IN LOUGHEED MALL AREA.

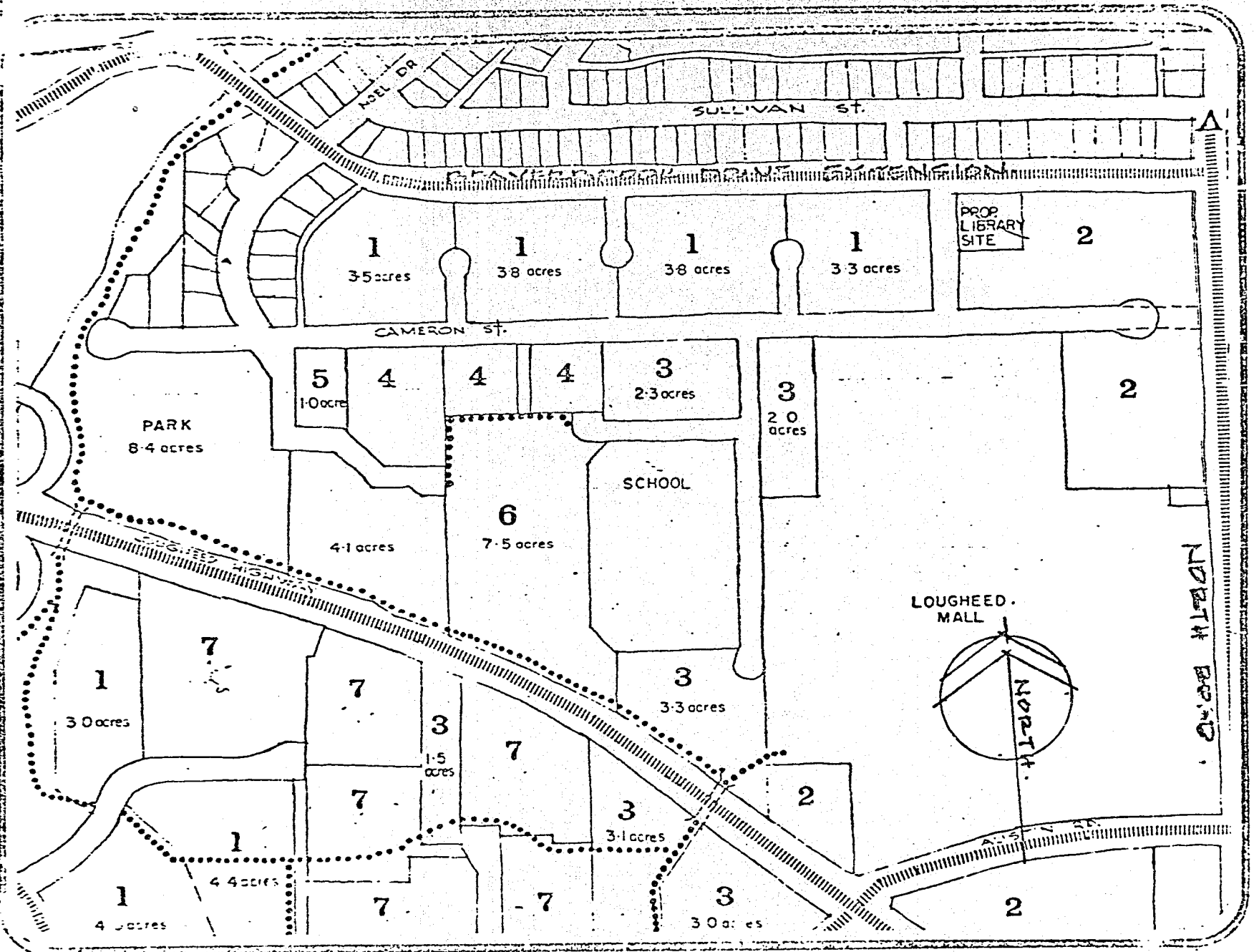
SKETCH # 1

MAY 73

SCAR 113.4501
 DR. 1
 WILY 173.
 SKETCH # 2.

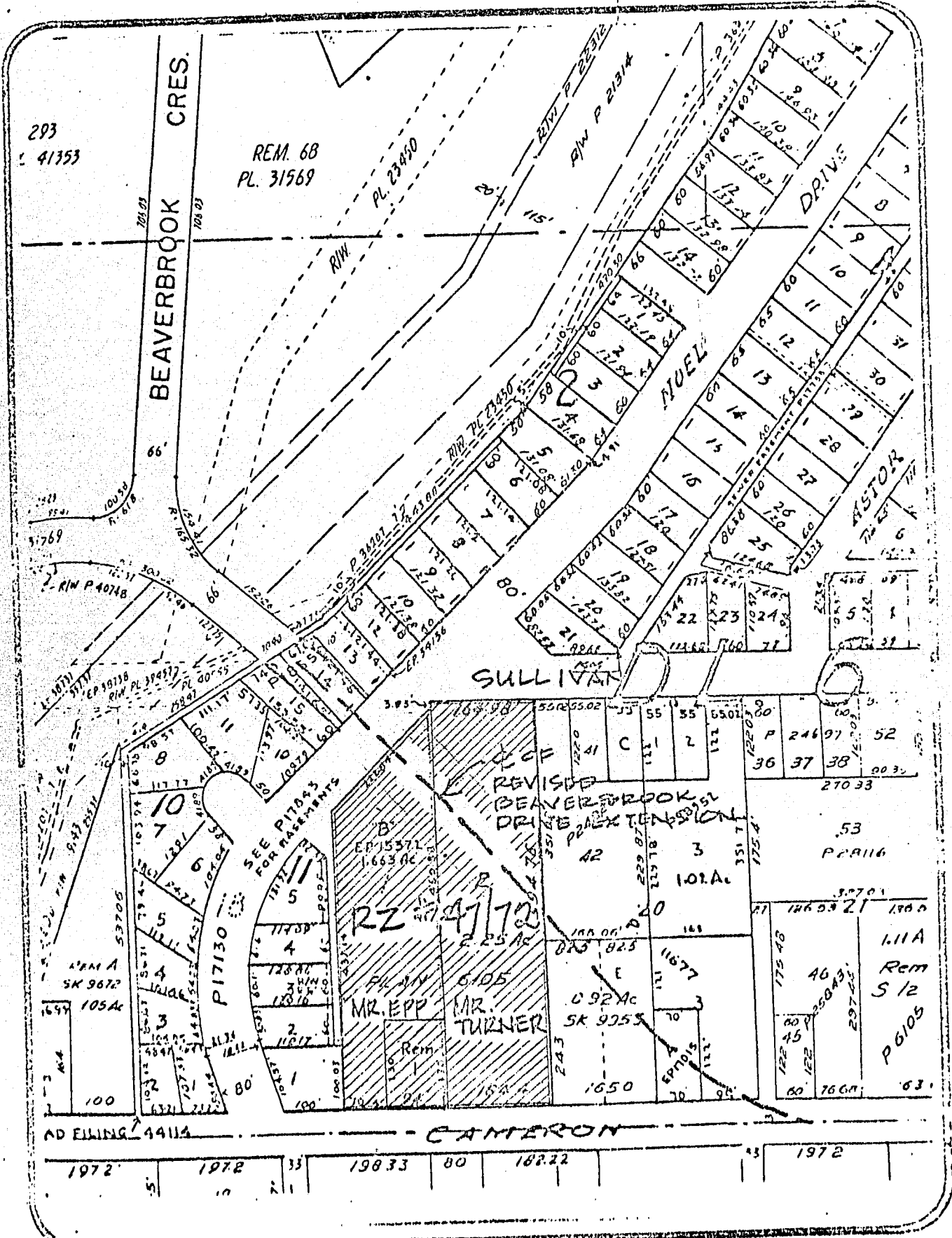
COMMUNITY PLAN OF
 ORIGINAL BEAVERBROOK EXTENSION

URBAN PLANNING COMPANY



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SCALE 1" = 200'
 DRAWN
 DATE JULY 173.

PROPERTY LAYOUT IN VICINITY
 OF REVISED BEAVERBROOK DRIVE
 EXTENSION.
 SKETCH # 3.



MUNICIPAL PLANNING DEPARTMENT