

19. Re: Lane East of Brantford Avenue and  
South of Stanley Street  
Subdivision Reference #122/73

The following is the report of the Director of Planning dated November 1, 1973 regarding the above.

The two most northerly lots are under the control of the Parks and Recreation Department and the property to be acquired from the developer on Stanley Street would be purchased from the Parks Land Acquisition Budget; and therefore a report on the matter of the lane will be made to the Parks and Recreation Commission on November 7, 1973. No action should be taken on this matter until after we hear the views of the Commission. Incidentally, it is for this reason that the Planning Director's report is silent about the disposition of the existing lane if it is not opened as he recommends.

RECOMMENDATION:

THAT this report be tabled pending receipt of the Parks and Recreation Department's report.

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PLANNING DEPARTMENT  
1 NOVEMBER, 1973

SUBJECT: LANE EAST OF BRANTFORD AVENUE  
AND SOUTH OF STANLEY STREET  
SUBDIVISION REFERENCE #122/73

BACKGROUND

On October 1, 1973, the Municipal Council considered the matter of a petition which was received from a number of property owners on the east side of Brantford Avenue in the vicinity of Stanley Street:

- a) advising that the Approving Officer has issued Tentative Approval of Subdivision for property described as Lot 82, D.L.92, Plan 1146 (S.D.Ref.#122/73) without requiring the dedication of a portion of the parcel for lane purposes;
- b) requesting the Council instruct the Approving Officer to require the provision of such lane allowance.

After deliberation of the Manager's Report No.73 which was submitted at the October 1st Council meeting, the Council endorsed the position taken by the Approving Officer to not require the dedication of land for a lane because it would be unreasonable to withhold approval of the subdivision for the reasons indicated in Manager's Report and in a letter of September 20th from the Approving Officer to Mr.A.S.Gregson. (The report and the letter are attached).

The Council also directed the Planning Department to send a letter to the affected property owners advising them of the implications of developing a lane and soliciting their opinion on the merits of the matter. If these people expressed a desire for a lane at this time, as a Local Improvement, the Approving Officer was to require the necessary survey and dedication of the land for lane purposes as a condition of the subdivision.

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EXISTING SITUATION

The Planning Department wrote to the affected property owners and a sample letter is attached. There are thirteen owners involved, and consequently, the approval of nine owners is required to effect a Local Improvement By-law, representing at least 50% of the assessed value. Seven owners reported that they are in favour of lane development, while five owners stated they were opposed to development. The Corporation of Burnaby is the remaining land owner. The total assessed value of those in favour is \$64,880.00 or 33%, while the total assessed value of those opposed is \$119,810.00 or 62%. The Corporation land accounts for the remaining 5%.

The School Board is the largest single land owner in the area. Mr. A. C. Durkin, Secretary-Treasurer, stated that he has found that those school sites which do not have lanes or roadways around their periphery are safer, with less likelihood of the school being "invaded" by transients after dark. He anticipated that if there was a high density of traffic on the access road into Brantford School as it now exists, this would precipitate special measures having to be taken to protect the elementary students. (By necessity, this access road would become part of the lane should the School Board dedicate land for the lane right-of-way). We have interpreted this response as a statement of opposition to lane development. Mr. Durkin stated that when the matter of access to a possible lane was presented to the Board, this was done without any consideration to other problems which might develop. He has advised the Planning Department, however, that the School Board passed the following recommendation:

"THAT the Secretary-Treasurer be directed to advise the Municipal Engineer that if a request were received from The Corporation of the District of Burnaby for the granting of an easement on the access road, this would be approved by the Board, subject to the necessary Order-in-Council."

Mr. Durkin stated that the Board is prepared to extend its full co-operation to the Corporation and does not want to appear to be an arbiter over matters relating to the development of lanes, roads, etc.

For the information of Council, a sketch showing the owners' names, their response, and the assessed value of the property is attached.

RECOMMENDATION

THAT, as the necessary requirements for lane construction as dictated in the Municipal lane construction policy, have not been met, the necessary survey and land dedication for lane purposes be not required at this time.

Respectfully submitted,

  
A. L. Parr,  
APPROVING OFFICER

PB:ea  
Attchmts.

ITEM 19  
MANAGER'S REPORT NO. 83  
COUNCIL MEETING Nov. 5/73

~~MANAGER'S REPORT NO. 83  
COUNCIL MEETING Oct. 1, 1973~~

10. Re: Petition Dated September 19, 1973  
Lane East of Brantford Avenue & South of Stanley Street  
Subdivision Reference #122/73

Appearing on the agenda for the October 1, 1973 Meeting of Council is a petition regarding allowance of Stanley Street as shown on the attached sketch. Mr. A. S. Gregson, a representative for some of the residents in the area, will appear as a delegation on October 1, 1973.

The approving officer in the following report explains the position that he has taken regarding this matter.

RECOMMENDATION:

THAT the Municipal Council endorse the position of the Approving Officer in that it would be unreasonable to withhold approval of the proposed subdivision for the reasons stated in his letter of September 20, 1973 to Mr. Gregson; and

THAT the Planning Department send a letter to the affected residents advising them of the implications of developing a lane, and soliciting their opinion on the merits of a lane; and

THAT if the residents wish a lane developed as a local improvement immediately, the necessary survey and dedication take place as a condition of subdivision.

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PLANNING DEPARTMENT  
27 SEPTEMBER, 1973.

SUBJECT: LANE EAST OF BRANTFORD AVENUE AND  
SOUTH OF STANLEY STREET  
SUBDIVISION REFERENCE #122/73

BACKGROUND

The Deputy Municipal Clerk is in receipt of a petition from a number of property owners on the east side of Brantford Avenue in the vicinity of Stanley Street:

- (a) advising that the Approving Officer has issued Tentative Approval of Subdivision for property described as Lot 82, D.L.92, Plan 1146 (S.D.Ref.#122/73) without requiring the dedication of a portion of the parcel for lane purposes;
- (b) requesting that Council instruct the Approving Officer to require the provision of such lane allowance.

The Deputy Clerk requested the Approving Officer to provide Council, through the Manager, with a report on the situation concerning the petitioners. The attached letter addressed to Mr.A.S.Gregson will explain the Approving Officer's position with respect to withholding approval of the subject subdivision until the question of the lane has been resolved.

EXISTING SITUATION

I would suggest that before the matter of a need for a lane is decided, the petitioners should be made aware of the implications of lane construction. In certain instances property owners have fenced and are using portions of the undeveloped lane allowance. Also, any construction would be by means of a local improvement by-law with the costs apportioned to the property owners. Given all the facts pertaining to lane construction, the property owners could then determine the merits of developing the lane.

ITEM 19

MANAGER'S REPORT NO. 83

COUNCIL MEETING Nov. 5/73

ITEM 10

MANAGER'S REPORT NO. 73

COUNCIL MEETING Oct. 1/73

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If it should be concluded that provision for a lane be made, the approval of the subject subdivision would not negate this possibility as the portion acquired for parkland would be in the name of the Corporation.

RECOMMENDATION

THAT the Municipal Council endorse the position of the Approving Officer in that it would be unreasonable to withhold approval of the proposed subdivision for the reasons stated in his letter of September 20, 1973 to Mr. Gregson; and

THAT a letter be sent to the affected residents advising them of the implications of developing a lane, and soliciting their opinion on the merits of a lane.

Respectfully submitted,

  
A. L. Parr,  
APPROVING OFFICER

PB:ea  
Attchmt.

HE

URM

ITEM 10  
MANAGER'S REPORT NO. 73  
COUNCIL MEETING Oct. 1/73

ITEM 19  
MANAGER'S REPORT NO. 83  
COUNCIL MEETING Nov. 5/73

Planning Department

20 September 1973.

Mr. A. S. Gregson,  
7367 Burns Street,  
Burnaby, B. C.

Dear Mr. Gregson:

Re: Subdivision Reference #122/73  
Lane Dedication

Your letter of September 19, 1973 refers.

You have requested that approval of the subject subdivision be delayed for a period of 60 days in order to give you sufficient time to present your views on the need for lane access to the Municipal Council. I would advise you that the subdivision which is being processed does not preclude the possibility of lane dedication or construction and, therefore, it would be unreasonable to withhold approval.

This subdivision will create two residential parcels fronting on Brantford Street with the balance of the land being acquired for parkland as approved by the Council on August 20, 1973. The attached sketch clearly shows that the parcel being acquired for parkland could conceivably provide land for lane dedication or construction if required. I must state, however, that it is the opinion of the Planning Staff that development of this lane would be of no advantage to the existing dwellings on Brantford Avenue.

A site inspection revealed that the dwellings on Brantford Avenue were well established and had their driveways and garages oriented towards the street. To construct the lane would appear redundant and would require considerable expense to the home owners to effect access to the lane.

In summary, I feel that we cannot justify withholding approval to the proposed subdivision for the reasons stated. I hope this adequately answers your query.

Yours truly,



A. L. Parr,  
APPROVING OFFICER.

PB

PB:bp

3 C. Municipal C.C. 5.

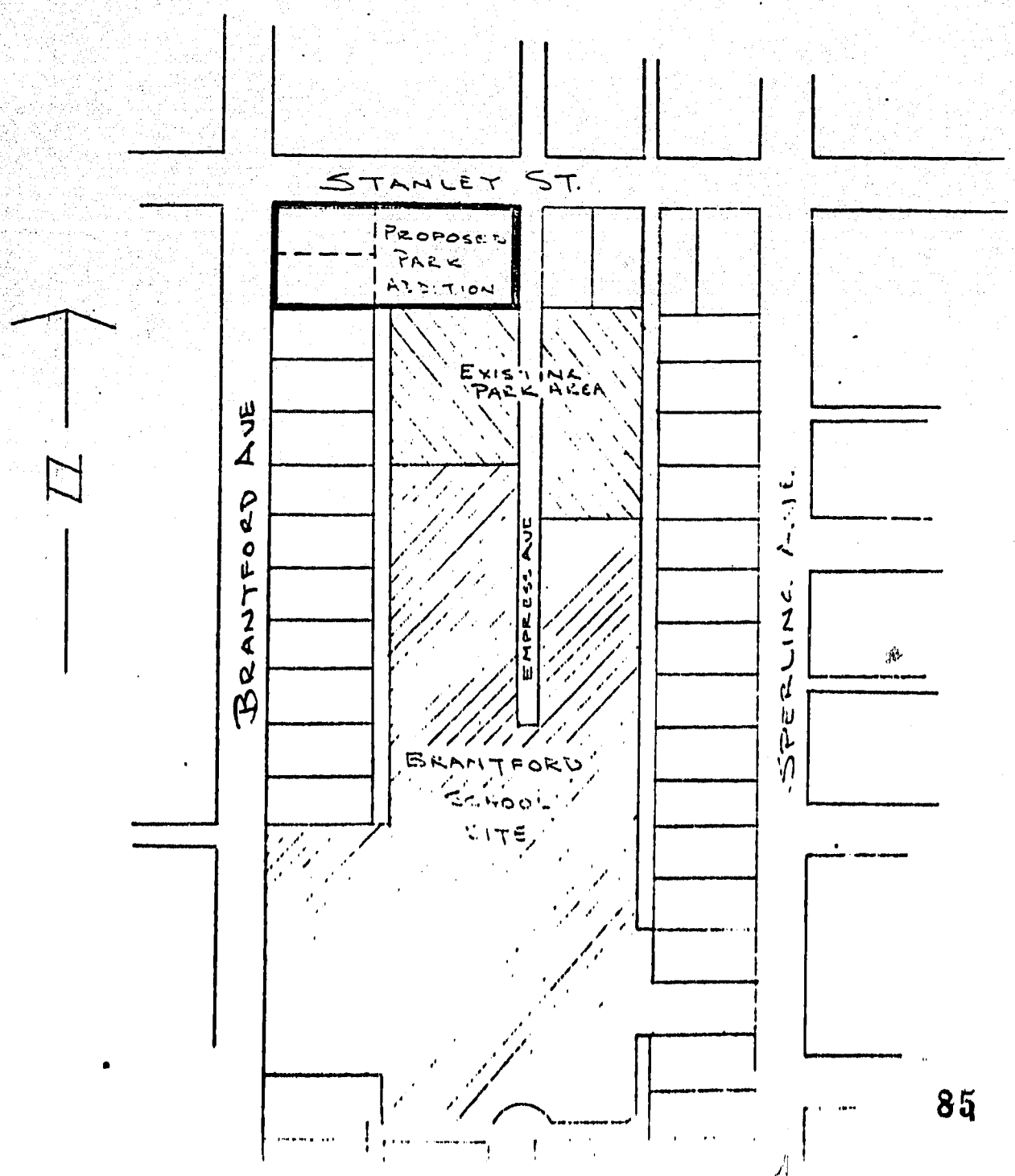
ITEM 10  
MANAGER'S REPORT NO. 73  
COUNCIL MEETING Oct. 1/73

D.C. 92  
LOT 82  
PLAN 1146

S.D. 122/73  
ZONING R5

ITEM 19  
MANAGER'S REPORT NO. 83  
COUNCIL MEETING Nov. 5/73

6316 BRANTFORD



ITEM 19

MANAGER'S REPORT NO. 83

COUNCIL MEETING Nov. 5/73

PLANNING DEPARTMENT

15 October, 1973

Mr. N. W. Hunter,  
6492 Brantford Avenue,  
Burnaby 1, B.C.

Dear Mr. Hunter:

Re: Subdivision Reference #122/73  
Lot 265, D.L.92, Plan 36217

Proposed Lane Development East of  
Brantford Avenue & South of Stanley Street

With reference to a request initiated by a Mr. A. S. Gregson that a lane allowance be dedicated from Lot 82 described above as a condition of that parcel being subdivided, the Municipal Council directed the Planning Department to send a letter to the affected property owners advising them of the implications of developing a lane and soliciting their opinion on the merits of the matter. If these owners express a desire for a lane at this time, as a Local Improvement, the Planning Department will require the necessary survey and dedication of the land for lane purposes.

We have conducted a site inspection of the lane right-of-way and assessed the need for lane construction. The existing dwellings on Brantford Avenue are well established and have their driveways and garages oriented towards the street. Construction of the lane would require an expense to the home owners to effect access to the lane, and would further require the removal of a number of trees, both native and ornamental. No provision has been made for connection of the lane right-of-way to Brantford Avenue in the area of Brantford School, and consequently, if the lane were developed, it would become a dead-end lane approximately 800 feet long, although it would provide secondary access to the houses on Brantford Avenue.

The Municipal lane construction policy dictates that a petition representing two-thirds of the property owners shall be submitted to the Council for the construction and paving of the lane. The two-third majority shall represent at least 50% of the assessed value of the abutting parcels. The present rate per assessed foot, on a maximum of 66 feet, is \$0.257 annually for a period of five years.

As you are the registered owner of the property addressed at 6492 Brantford Avenue, would you kindly advise the Planning Department by October 30, 1973, of your opinion on development of the subject lane.

Yours truly,

PB

PB:ea

  
A. L. Parr,  
DIRECTOR OF PLANNING

SAMPLE LETTER MAILED TO  
THE AFFECTED OWNERS.

STANLEY ST.

NORTH BRANTFORD AVE. SUBJECT LANE WOODWARD AVE.	HERBOLD NO \$ 10,995	NECESSARY DEDICATION	
	HELMINGER YES \$ 8,485	CORPORATION \$ 4,550	
	TITTERINGTON NO \$ 8,485	CORPORATION \$ 4,550	
	DREW NO \$ 8,485	SCHOOL \$ 4,550	
	COOK YES \$ 8,930	SCHOOL \$ 4,550	
	HARBOR NO \$ 8,930	SCHOOL \$ 4,550	
	WOODMAN YES \$ 9,930	SCHOOL \$ 10,560	
	GREASON YES \$ 9,930		
	WOODMAN YES \$ 9,930		
	TWYFORD YES \$ 10,270	SCHOOL \$ 25,455	
	HUNTER YES \$ 8,485		
		SCHOOL \$ 24,250	NECESSARY DEDICATION

S.D. REF. # 122/73