

ITEM 16
MANAGER'S REPORT NO. 51
COUNCIL MEETING July 22/74

Re: Proposed Lane Closure
Senior Citizens High Rise - I.O.D.E.
Newton Street/Nelson Avenue
Rezoning #50/73, Rezoning #6/74
(Item 16, Report No. 21, March 18, 1974)
(Item 13, Report No. 23, March 25, 1974)

Following is a report from the Director of Planning regarding the proposed closure of a lane relative to the subject senior citizens high rise development.

RECOMMENDATION:

THAT Council authorize the closure of the subject lane to traffic and the subsequent introduction of a Road Closing Bylaw according to the points outlined in Section 3.0 of this report.

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PLANNING DEPARTMENT
JULY 16, 1974

TO: MUNICIPAL MANAGER
FROM: PLANNING DIRECTOR
SUBJECT: PROPOSED LANE CLOSURE
SENIOR CITIZENS HIGH RISE - I.O.D.E.
NEWTON STREET/NELSON AVENUE
R.Z. #50/73, R.Z. #6/74

1.0 BACKGROUND

The subject Senior Citizens High Rise Project was presented to a Public Hearing on February 19, 1974. First and Second Reading of the zoning by-law was given on February 25, 1974 with one of the prerequisites to the rezoning being the completion of the requisite Road Closing By-law. The portion of closed lane was to be consolidated with the applicant's site and sold to the applicant for \$23,185.00. On April 29, 1974 the applicant appeared as a delegation before Council with reference to the sale of the adjacent lane to the applicant. Council at that time agreed to have the lane remain in municipal ownership, closed to traffic, and made available to the applicant for landscaping for a nominal sum. On July 4, 1974 Council gave Third Reading to the requisite rezoning by-law on the understanding that the Road Closing By-law would be separated from the subject rezoning in order not to unduly delay the project and that the Road Closing By-law would be completed in due course.

2.0 GENERAL COMMENTS

2.1 The applicant has consolidated the adjacent Lot 13 (RZ #6/74) which is to be landscaped with the rest of his site. Therefore, the Floor Area Ratio of 2.0 is not exceeded even if the lane is not included in the applicant's site. The consolidated net site has an area of 36,155 sq. ft. or 0.83 acres.

- 2.2 Council's April 29, 1974 decision has been interpreted as allowing the senior citizen's housing developer to use the lane as part of their project (i.e. landscaping) without burdening the non-profit housing group with the costs of acquisition.
- 2.3 It is noted that in conjunction with Rezoning #39/69 to the north of the subject senior citizen's high rise proposal, Council had on June 23, 1969 adopted a comprehensive plan for the entire Nelson/Newton/Sanders/Marlborough block (see Sketch #1) delineating four high-rise apartments within this block and requiring the closure of a east-west lane which is located between Newton Street and Sanders Street. One of the prerequisites to Rezoning #39/69 was the consent of the developer to the future closure of the lane. The requisite Comprehensive Development plan for Rezoning #39/69 on file in the Municipal Clerk's department also clearly indicates the future closure of the lane.

For information, the remaining site to the east of the Rezoning #50/73 is now the subject of a new rezoning application for use as a senior citizens apartment (R.Z. #40/74) and is to be submitted to Council on July 22, 1974.

3.0 PROPOSED PROCEDURES

Under the circumstances, the following approach is recommended:

- 3.1 The introduction to Council of a by-law closing the lane to traffic in accordance with the adopted Community Plan.
- 3.2 Retention of ownership of the portion of lane in the name of the Crown but allowing the developer to landscape the portion of lane and agreement by the developer to its continued maintenance.
- 3.3 Initiation of procedures for the Municipality to take title to the closed portion of lane on the understanding that should any adjacent owners object, it may be difficult to justify the closure to the Province. If the lane were closed, a lease arrangement could be made.
- 3.4 The maintenance of an emergency fire access through the closed portion of lane.

4.0 RECOMMENDATION

It is recommended that Council authorize the closure of the subject lane to traffic and the subsequent introduction of a Road Closing By-law according to the points outlined in Section 3.0 of this report.

Ad

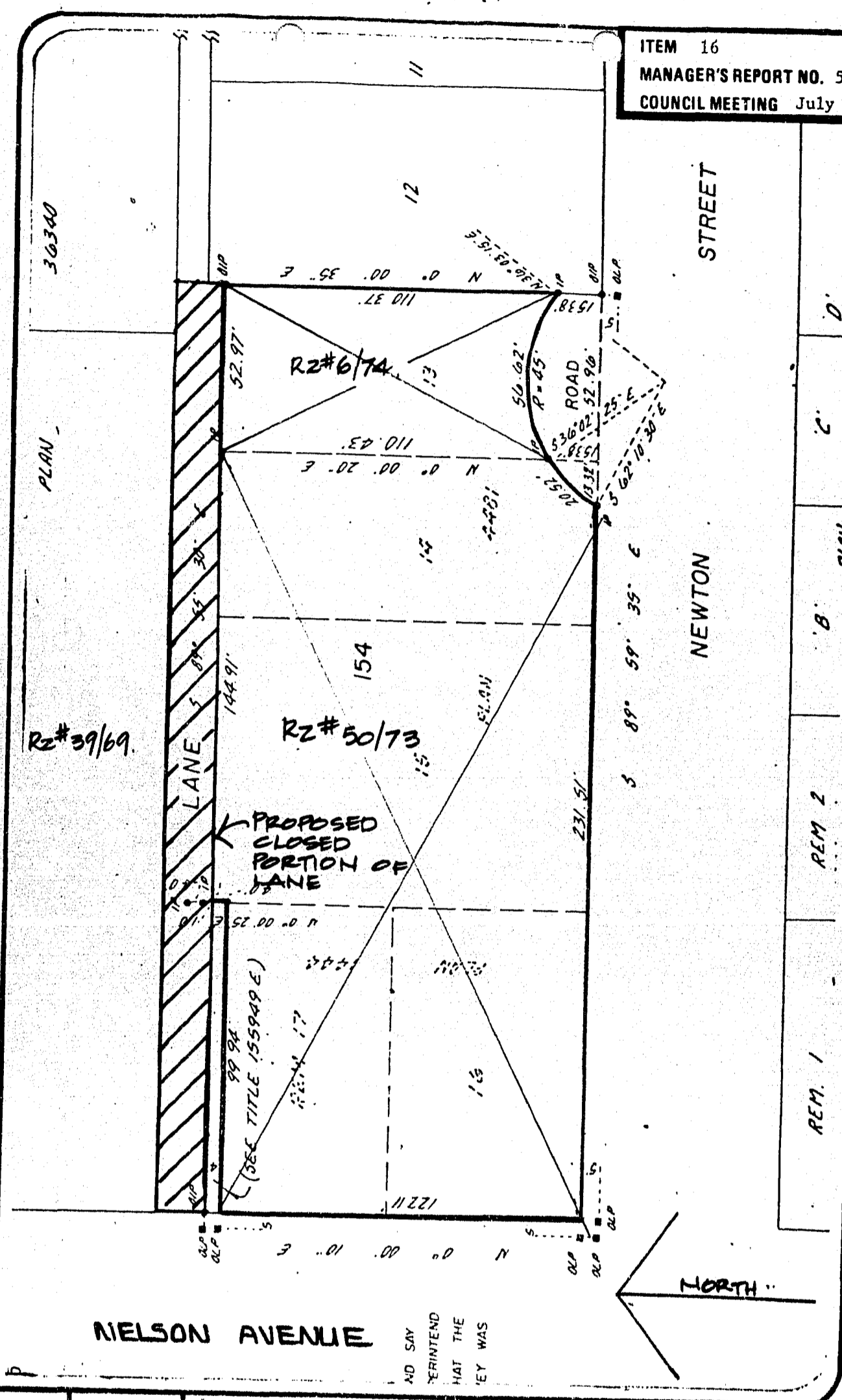
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Attached sketch.

c.c. Municipal Solicitor
Municipal Engineer - Traffic

A. L. Parr
A. L. Parr,
DIRECTOR OF PLANNING.

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REM. 1

REM. 2

B.

C.

D.

SCALE	1" = 40'
DRAWN	
DATE	JULY/74.

PROPOSED LANE CLOSURE
 RZ# 50/73 & RZ# 6/74.