

ITEM 2

MANAGER'S REPORT NO. 17
COUNCIL MEETING Mar. 4/74

Re: Road Exchange Bylaw
Subdivision Reference #238/73
(Item 22, Report No. 13, February 18, 1974)

On February 18, 1974, Council received a report in which it was recommended that an existing 33' road allowance be exchanged for an alternate street that is being dedicated as a requirement of Subdivision Reference #238/73.

It was mentioned at the meeting that the Approving Officer could insist on the dedication of land for the new road as a prerequisite to his approval of the subdivision, and that therefore the Municipality was in fact giving the existing road allowance away to the owner of the property involved.

It was also mentioned that in the event the area in which the subject property is located was re-plotted, the land that is presently dedicated for road would be considered as Municipal property in determining the values of the parcels which may be involved in the re-plot.

Following is a further report from the Director of Planning on this matter.

RECOMMENDATION:

THAT Council give authority to introduce a road exchange bylaw as noted in Item 22, Report No. 13 which Council received on February 18, 1974.

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SUBJECT: ROAD EXCHANGE BY-LAW
SUBDIVISION REFERENCE #238/73

PLANNING DEPARTMENT
19 FEBRUARY, 1974

BACKGROUND

Under the provision of the Municipal Act an Approving Officer can require, as a condition of subdivision approval, the dedication of any necessary road allowances to a maximum width of 66 feet without compensation to the subdivider. The Planning Department has in the past required that this provision be met and in the subject case, substantial road dedications are being made to fulfil this requirement. In general, when cancelling an existing allowance, Council has directed that these areas be assigned a value and sold on this basis. The subject case would seem to differ from the usual road closures in the following ways.

- 1) Part of the road allowance being dedicated serves the same function as the road allowance to be cancelled, that of providing primary access to the interior of the undeveloped block.
- 2) The applicant would have been required to dedicate only an additional 27 feet had the subdivision layout used the existing 33 feet Hewitt Street road allowance instead of the realignment proposed.
- 3) Should the subdivision be completed without closure of the 33' allowance but dedicating the necessary roads, the abutting owners could then privately petition the Lieutenant-Governor for title to this allowance with no approval required from Burnaby and no compensation to Burnaby.

In view of the above reasons it would seem in order that the exchange be undertaken with no compensation to the Corporation.

RECOMMENDATION

THAT Council receive the above report for their information,
THAT Council give authority to introduce a road exchange by-law as previously outlined.

Respectfully submitted,

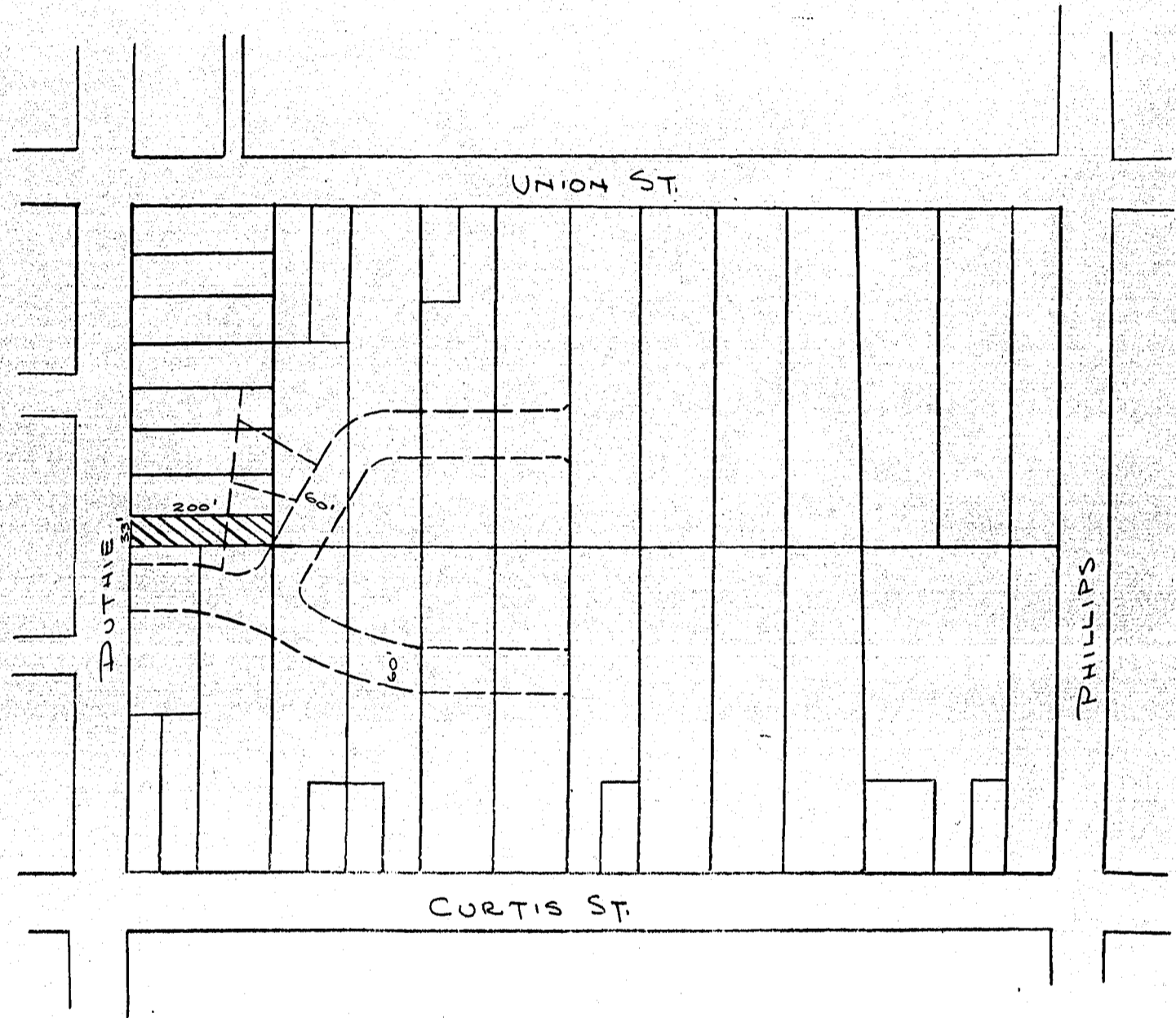
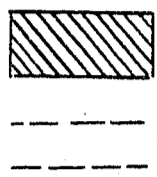

A. L. PARR,
APPROVING OFFICER

5

HR:ea
Attchmt.

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ROAD TO BE CLOSED
AND EXCHANGED FOR
ROAD DEDICATION



ROAD EXCHANGE S D 238/73

SCALE 1" = 200'