

Re: Proposed Lane Truncation
N.W. Corner of Lot 2, Blk. 1, D.L. 116S $\frac{1}{2}$, Plan 1439
3721 East Georgia Street

The Municipality during the spring of 1973 received a request for permission to construct a triplex on the subject property. Permission was denied because the R5 zoning did not allow for this type of structure in the area. The owner, Mr. D. Funaro, was advised that he could apply for a duplex development, or alternatively, for a rezoning to permit construction of a triplex. He was further advised that should he exercise the latter alternative, staff would not recommend the proposed multiple family dwelling zone that would be required for a triplex because the area is not within the recognized apartment zone as provided in the Apartment Study.

As shown on Attachment "A", a lane parallels the north and west sides of the property. Because the turning radius for vehicular traffic at the northwest corner of the property was considered inadequate, a recommendation to have a portion truncated at the northwest corner was referred to Council on September 17, 1973. Council did not give consideration to an expropriation bylaw but instead directed that the lane encroachment on the subject property be removed.

Council on December 27, 1973 was advised that the Engineering Department had given Mr. Funaro verbal permission to erect a wall over a portion of the encroaching pavement (the pavement was used as a base). The encroachment for this reason was not removed, and in fact has still not been removed because the work can proceed only when Mr. Funaro gives his permission to have it done. Such permission has not been obtained as of this date.

Following is additional information that Council received on December 27:

"The matter of the required lane truncation at the subject address has arisen again as a result of complaints from neighbouring property owners to the effect that it has now become extremely impossible to negotiate the corner at the intersecting lanes. The recent development which has caused the problem is the construction of a stone wall ranging in height from 1 $\frac{1}{2}$ feet to 3 feet which, although contained within Mr. Funaro's property, appears to project well into the lane because of the lack of a truncation.

The attached sketch No. L.1512 (Attachment "B") indicates the problem that vehicles of the size of a department store delivery van or a garbage truck would have in turning the corner which would actually require forward and backward movement onto other private properties. An on-site inspection has confirmed that even a normal sized motor vehicle would find it extremely difficult and hazardous to turn the corner without hitting the corner of the stone wall."

Council on December 27 authorized the Land Agent to negotiate for the required lane truncation.

Appearing on the January 21, 1974 Council Agenda were two letters from neighbour-residents who complained about the lack of adequate turning radius in the lane. The complainants were subsequently advised at the direction of Council that negotiations were continuing for the acquisition of a 20 x 23 foot truncation at the northwest corner of Mr. Funaro's property.

The Land Agent now advises as follows:

"Regarding negotiation of the subject truncation, we wish to advise that we have contacted Mr. Funaro in this regard to try to solve this problem, but he still feels he should receive permission to build a triplex on the property (Mr. Funaro has proposed a settlement under which he will give the Municipality the truncation in exchange for permission to construct a triplex on the property; he has been advised that these terms are not acceptable to the Municipality).

Since September 17, 1973, when it was decided to withhold authorization to expropriate the truncation, the owner has constructed a cut stone, brick and screen block fence around this corner, with a cement dog run within the area,

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and enclosed it with a plastic coated chain link fence. Mr. Funaro visited this office on January 9, 1974, at which time these improvements were discussed. Mr. Funaro still insisted he should have a permit to build a triplex. He also asked what we were going to pay him for the fence, etc.

We wrote Mr. Funaro on January 11, 1974, with our estimate of \$460 for the land and \$1,040 (total \$1,500) to remove and rebuild the fence and dog run. We have had no reply from Mr. Funaro and no response to our calls.

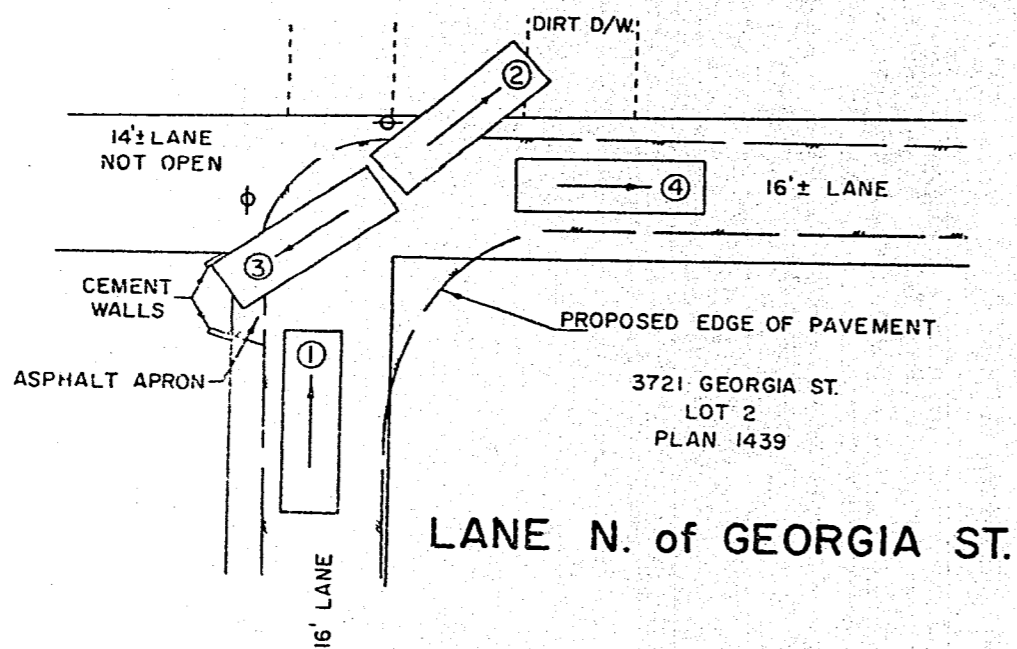
In view of the above facts, we would request that an expropriation bylaw be drawn up.

We will continue to try to negotiate with Mr. Funaro."

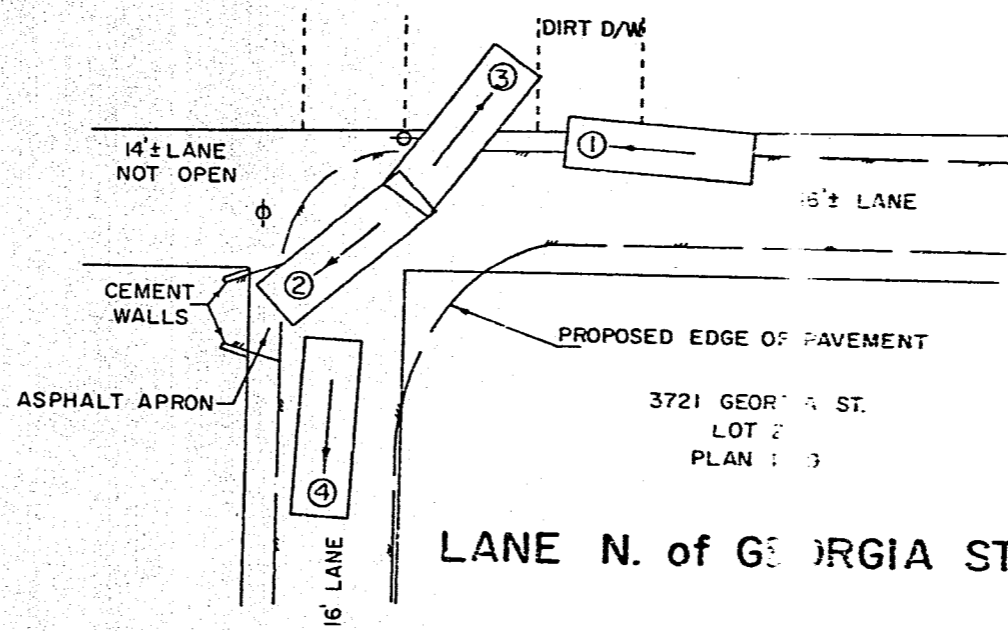
In summary, the property must be truncated to provide a suitable turning radius. Negotiations to acquire the truncation have been unsuccessful, and it is, therefore, requested that the truncation be expropriated. Negotiation for the truncation would continue during the expropriation process.

RECOMMENDATION:

THAT the necessary expropriation bylaw be brought forward.



Traffic North to Eastbound.



Traffic West to Southbound.

LANE N. of GEORGIA ST.

LANE N. of GEORGIA ST.

ITEM 10
MANAGER'S REPORT NO. 17
COUNCIL MEETING Nov. 4/74
ATTACHMENT '13'

PROP. TRUNCATION
LANE N. GEORGIA at LANE
E. BOUNDARY THRU LOT
PL. 1439, 3721 GEORGIA ST.

CORPORATION OF	THE DISTRICT OF COLUMBIA
ENGINEERING	ENGINEERING DEPARTMENT
DESIGN	DESIGN DIVISION
DESIGNED BY	SCALE 1/4" = 1'-0"
DRAWN BY H. SM	DATE DEC 20, 1973
CHECKED BY	DRWG NO.
APPROVED BY	1512

REVISION