

Re: PROPOSED ROAD CLOSURES BETWEEN 10TH AND 12TH AVENUES
BETWEEN FENWICK STREET AND B.C.H.P.A. RAILWAY R/W

Following is a report from the Municipal Engineer regarding the proposed closure and consolidation of land in the subject area.

The Director of Planning and the Land Agent concur with the content and recommendations in the Engineer's report.

It should be noted that the survey work is required to establish the boundaries of municipal ownership and to redefine lane and road boundaries in the area with the ultimate objective being to consolidate the land for resubdivision. Correction of discrepancies involving private properties is therefore incidental, and this work should under no circumstances be interpreted as a precedent whereby surveys to correct discrepancies will be performed by the Municipality in other areas of Burnaby where private property is involved.

RECOMMENDATIONS:

1. THAT the necessary road closing by-law be introduced; and
2. THAT authority be granted to the Engineering Department to perform the necessary field surveys and to prepare
 - (i) the road closing by-law plan, and
 - (ii) the subdivision plan to effect consolidationas shown on the attached sketch.

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TO: MUNICIPAL MANAGER

31 DECEMBER, 1976

FROM: MUNICIPAL ENGINEER

RE: PROPOSED ROAD CLOSURES BETWEEN 10TH AND 12TH AVENUES
BETWEEN FENWICK STREET AND B.C.H.P.A. RAILWAY R/W

INTRODUCTION:

The subject area consists of 49 parcels of Municipal land, 9 private parcels and one B.C.H. & P.A. parcel, and also includes 2 portions of road 66 feet wide and 2 portions of lane 16 feet wide.

The development plan for the area envisions the eventual subdivision of the Municipal land, including the portions of road and lane shown hachured on the attached sketch.

Recent survey work has brought out the existence of severe discrepancies against old survey plan 1290. These are:

Parallel to Fenwick Street, a shortage of 24.81 feet;
Parallel to 10th Avenue, an excess of 16.45 feet.

It is desirable that a plan be registered that would resolve these problems. A consolidation survey plan would be an excellent vehicle for this, particularly if the present lots are to be superseded by a new subdivision (and which subdivision will eliminate old road allowances and create new ones).

Where major discrepancies exist these cannot be resolved by an ordinary reposting plan---a more formal plan is required, one on which fresh title can be based. As the area is one for which eventual resubdivision is planned, including portions at present road and lane, and as the steps to this end are (i) passing a road-closing by-law, and (ii) registering a plan to consolidate the various parcels, it is, therefore, recommended that these two steps be authorized with the actual subdivision to be deferred until required.

(cont'd)

BACKGROUND:

Our legal survey work was prompted by several needs:

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- (i) the need to redefine lane and road boundaries in the area, this need having arisen when paving.
- (ii) the need to redefine the boundaries of Municipal ownership in the area.
- (iii) the need to indirectly assist adjacent private owners by resolving area-wide survey problems that would be prohibitively costly for the owner of one lot.
- (iv) the need to prepare for the eventual resubdivision of the area by making use now of recently-set survey working stations, and carrying our work through to the completion of the consolidation.

COMMENTS:

In connection with the proposed road and lane closures, we have obtained concurrence of the B.C.H. & P.A. who are affected adjoining owners. We should act on this now in case they have a change of mind.

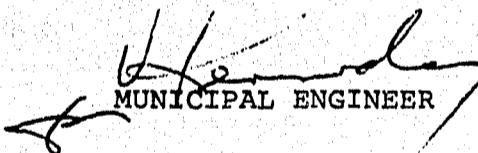
There should be no difficulty in obtaining consent of the adjacent private owners because we are not closing lane adjacent to their lots and because this survey redefines the area in a manner that gives their lots original plan dimensions. The Municipality would absorb most of the minor discrepancy shortage, but the closed road and lane would largely compensate for this.

Completion of our work will resolve one of the most complex survey problems in Burnaby.

RECOMMENDATIONS:

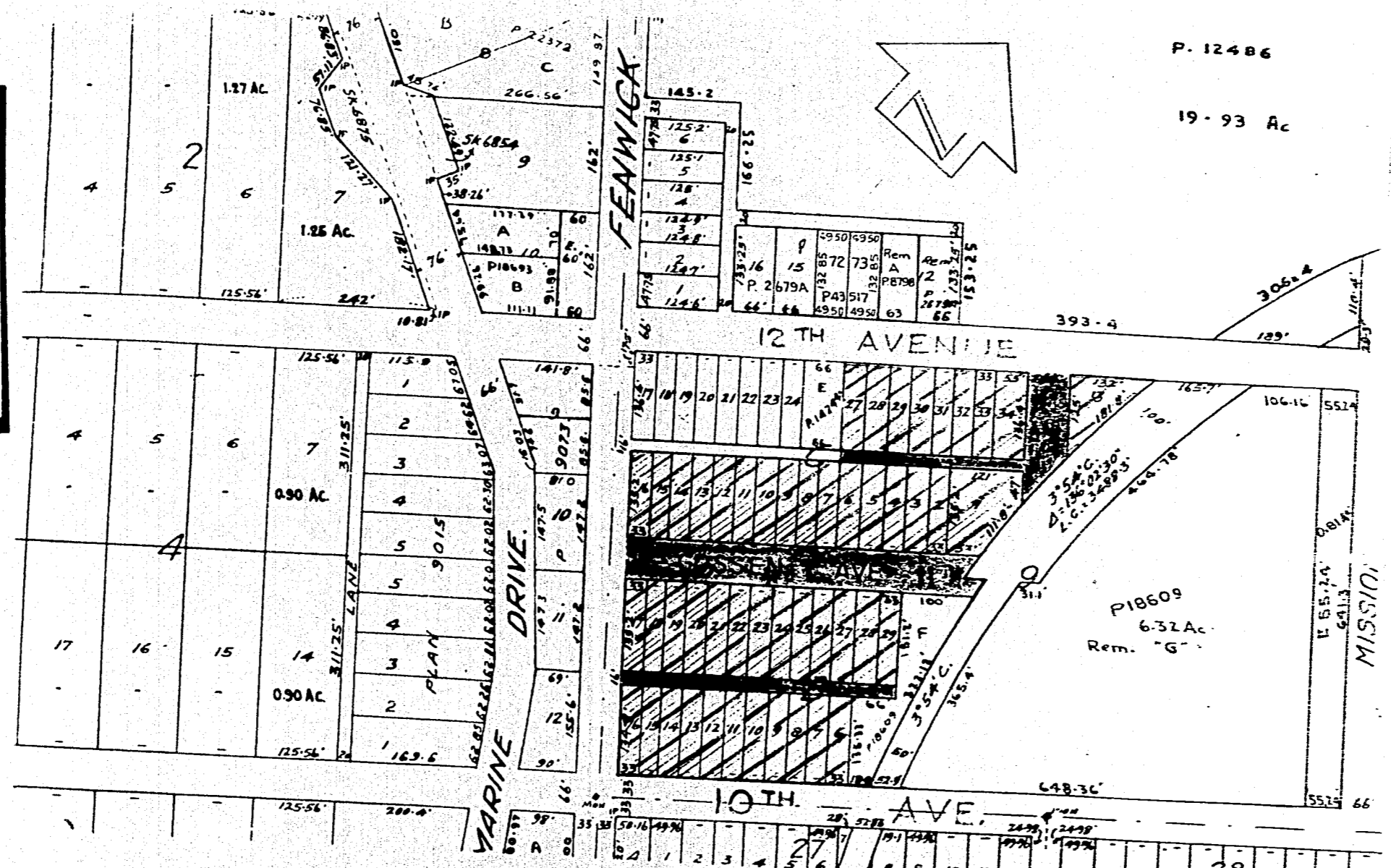
1. THAT authority be granted by Council to the Municipal Solicitor to prepare the necessary road closing bylaw; and,
 2. THAT authority be granted to the Engineering Department to perform the necessary field surveys and to prepare
 - (i) the road closing bylaw plan, and
 - (ii) the subdivision plan to effect consolidation
- as shown on the attached sketch.

BSB:wlh
Attch.


MUNICIPAL ENGINEER

cc: Director of Planning
Land Agent

ITEM 16
 MANAGER'S REPORT NO. 1
 COUNCIL MEETING Jan. 10/77



Scale: 1 in. = 200 ft.

**PROPOSED ROAD CLOSURES
 IN BLOCK 9, D.L. 171, PLAN 1290**

- denotes proposed closure
- denotes municipal land to be consolidated with closed road

ASB
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P. 12486
 19.93 Ac