

ITEM	9
MANAGER'S REPORT NO.	81
COUNCIL MEETING	1979 11 26

RE: PROPOSED SALE OF MUNICIPAL LAND
LOT 352, D.L. 207, GROUP 1, PLAN 55826, N.W.D.
SUBDIVISION REFERENCE #112/79

Following is a report from the Director of Planning regarding the proposed sale and the consolidation of Municipal property.

RECOMMENDATION:

1. THAT the recommendation of the Director of Planning be adopted.

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TO: MUNICIPAL MANAGER

1979 NOVEMBER 20

FROM: DIRECTOR OF PLANNING

SUBJECT: SUBDIVISION REFERENCE #112/79 - Proposed Sale of Municipal
Land - Lot 352, D.L. 207, Gp. 1, Plan 55826, N.W.D.

RECOMMENDATION:

1. THAT the Legal and Lands Department be authorized to enter into negotiations with the owner of Lot 'A', Blk. 5, D.L. 207, Gp. 1, Plan 21794, N.W.D. (7085 Union Street) for the sale of Municipally owned Lot 352, D.L. 207, Gp. 1, Plan 55826, N.W.D. (700 Calvin Court) and its consolidation with Lot 'A'. Upon successful negotiations, the Legal and Lands Department will forward their report to Council for consideration and approval.

REPORT

Lot 352, D.L. 207, Gp. 1, Plan 55826, N.W.D. was created when the Municipal Subdivision Reference #52/75 was registered as shown on the attached sketch. It has always been intended that this small portion of surplus land be consolidated with the adjacent privately owned Lot 'A', Blk. 5, D.L. 207, Gp. 1, Plan 21794, N.W.D. to complete the lot pattern within the block.

The Planning Department recommends that Lot 352 be made available for sale to the owner of Lot 'A' subject to the following conditions:

1. Consolidation of Lot 352 with Lot 'A'.
2. Registration of a Restrictive Covenant over the rear 40' of Lot 'A' to preclude the construction of new principal and accessory buildings thereon and to preclude vehicular access being taken via Greystone Drive.

It should be noted that the Municipality will be installing a landscape buffer within the rear 40' of the adjacent Municipal subdivision upon construction and occupancy of all dwellings on the affected lots. It is not intended that the landscaping extend over Lot 'A', but rather it is intended that the 40' area be kept free of buildings

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and that vehicular access be controlled. Under the R4 Residential Zoning Regulations, a rear yard of 9.0 m (29.53 feet) would have to be observed. It appears as though the existing dwelling will not lie within the covenant area.

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3. Preparation of the subdivision plan and the explanatory plan over the 40' covenant area by the Municipal Engineer.
4. Registration of a Deed of Land transferring ownership of Lot 352 to the owner of Lot 'A'.
5. Bearing of legal costs by the Municipality for document preparation and registration.

The Municipal Engineer reports that all services are adequate to serve the site.

In conclusion, the Planning Department recommends a straight exchange with no compensation being paid to either party. Failing successful negotiations on this basis, we would not be prepared to support a recommendation that compensation be made to the owner.


A. L. Parr
DIRECTOR OF PLANNING

CW:st

Att.

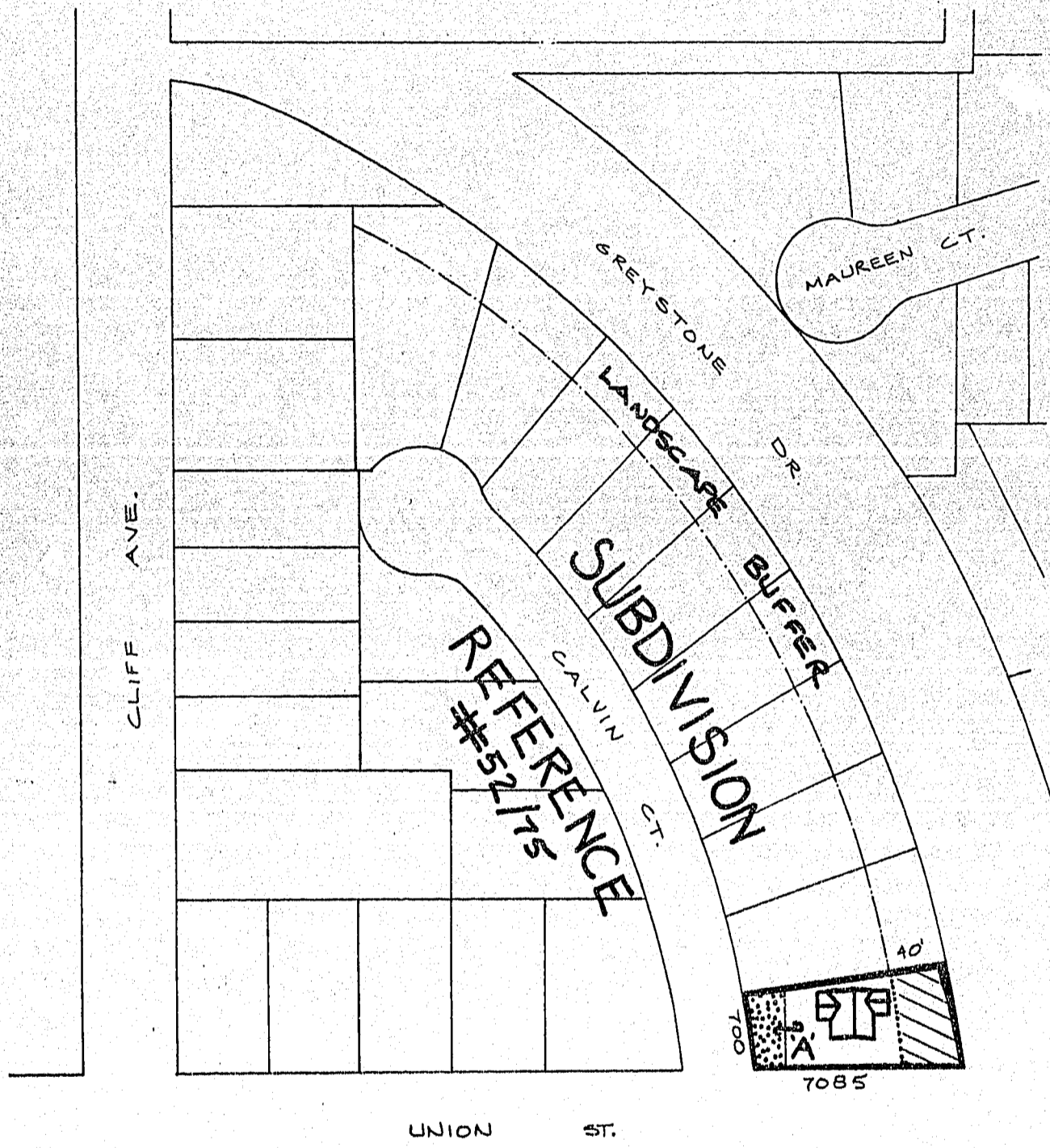
cc: Municipal Solicitor
Municipal Engineer
Municipal Treasurer

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DL. 207
 LOT 352, PL. 55826
 LOT A' OF BLK. 5, PL. 21794


S.D. REF. # 112/79
 X. REF. S.D. REF. # 52/75

ZONING: R 4



NOTE: LOCATION OF EXISTING DWELLING IS APPROXIMATE.

 PROPOSED 40' RESTRICTIVE COVENANT AREA

 MUNICIPAL LAND (LOT 352)

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SCALE: 1" = 100'

1979 NOV. C.W.