

ITEM	14
MANAGER'S REPORT NO.	48
COUNCIL MEETING	1980 07 21

RE: PROPOSED CLOSURE OF A PORTION OF ABBEY AVENUE SOUTH OF BURKE STREET  
D.L. 34 - R.C. REFERENCE #11/80, X-REF. S.D. #85/79

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Following is a report from the Director of Planning regarding the above subject.

RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER 1980 JULY 16  
FROM: DIRECTOR OF PLANNING  
RE: PROPOSED CLOSURE OF A PORTION OF ABBEY AVENUE SOUTH OF BURKE STREET  
D.L. 34 - R.C. REFERENCE #11/80; X-REF. S.D. #85/79

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RECOMMENDATION:

1. THAT Council authorize the preparation and introduction of a Road Closing Bylaw for a 3.048 m (10 ft.) portion of the Abbey Avenue road allowance south of Burke Street, subject to the conditions outlined in this report.

REPORT

BACKGROUND

On 1980 January 17, tentative approval was granted for Subdivision Reference #85/79 for the creation of three single-family lots, as shown on attached Sketch #1. The proposed lots meet the width required under the R5 zoning district (required - 15.0 m; provided - 15.934 m) but do not meet the area (required - 560 m<sup>2</sup>; provided - 511.16 m<sup>2</sup>). In order to meet the area required, the Planning Department wrote to the property owners to the west to determine if they would consent to the closure of the 10' lane allowance for consolidation with the lot at 4382 Burke Street. Responses were received from two of the owners, both of whom were not prepared to consent to the proposed closure.

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It should be noted that the property has the potential for two duplex lots which meet the bylaw requirements. However, since the applicant wished to pursue single-family development and the consents could not be obtained to the lane closure, it was felt that support could be given to relaxing the area requirements in this instance, since it would also be in character with the adjacent properties.

The applicant has been proceeding to satisfy the prerequisite conditions in order to finalize the subdivision. However, since recent actions have determined that the Approving Officer may not waive or ignore the provisions of the Zoning Bylaw, approval could not be granted to the subject application.

CURRENT SITUATION

Based on the above, the Planning Department has circulated a request to close a 10' portion of Abbey Avenue for consolidation with the proposed lots, which would thus meet the necessary area requirements under the R5 Zoning district. It is also advised that this section of Abbey Avenue contains a 66' right-of-way and the section immediately south of the lane is a 58' right-of-way. The proposed closure, as shown on attached Sketch #2 would therefore be contingent upon completion of the following conditions:

1. Consolidation of the cancelled allowance with 4382 Burke Street.
2. Granting of any easements which may be required by B.C. Telephone and B.C. Hydro .
3. Payment of compensation to the Municipality for this area in the amount of \$9,410.40 or \$6.00 per square foot for approximately 1,568.4 square feet of area being closed. The final square footage will be determined at the time the surveyor prepares the road closing plan.

The amount of \$6.00 per square foot compensation that has been established as a condition for the proposed transaction was calculated by the Legal and Lands Department.

4. Submission of all necessary road closing, consolidation and right-of-way plans.

The applicant has agreed with the above conditions.

  
A. L. Parr,  
DIRECTOR OF PLANNING

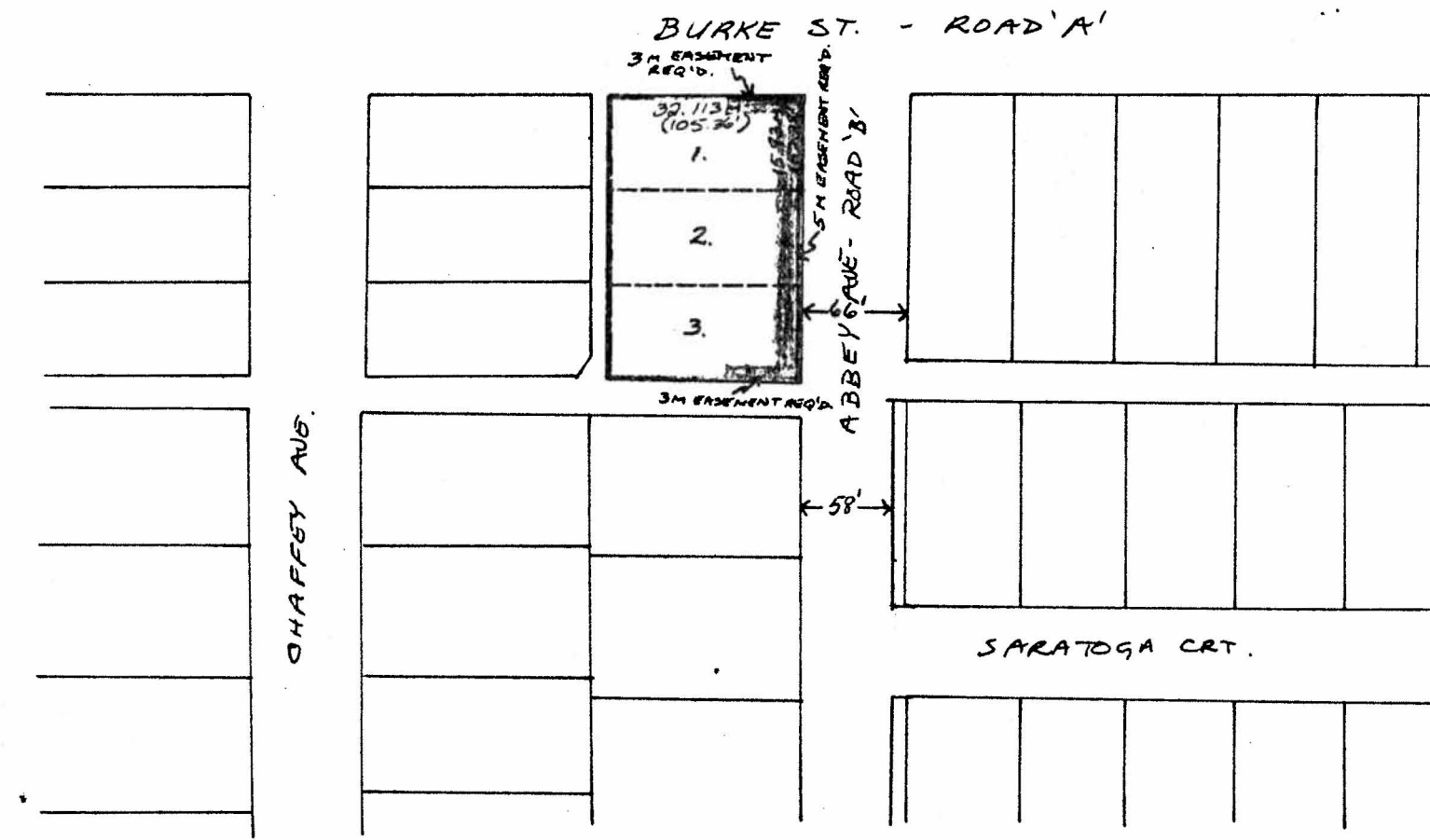
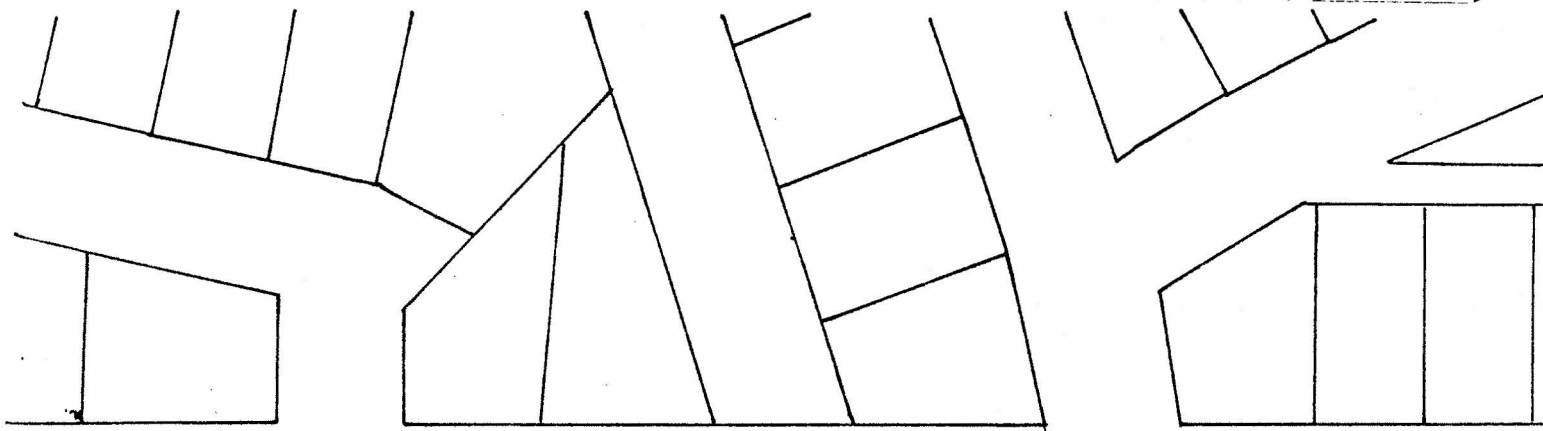
CM:ad  
Atts.

cc: Municipal Engineer

D.L. 34  
 BLK. "H"  
 LOT 3  
 PLAN 19911

S.D. REF. # 85/79  
 X. REF. SD. # 23/79  
 RC. # 17/79  
 ZONING: R5

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NOTE: - EXISTING HOUSE TO BE RELOCATED OR REMOVED  
 - COUNCIL APPROVAL REQUIRED ON WATERCOURSE TREATMENT.

ALSO NOTE: PREVIOUS SKETCH ON 1979 SEPT. REQUIRED CLOSURE OF 10' LAWS ALLOWANCE TO THE WEST. HOWEVER, THIS REQUIREMENT HAS NOW BEEN DELETED.

SCALE: 1" = 100'  
 1979 SEPTEMBER  
 C.M.  
 REVISED  
 1980 JANUARY

SKETCH # 1

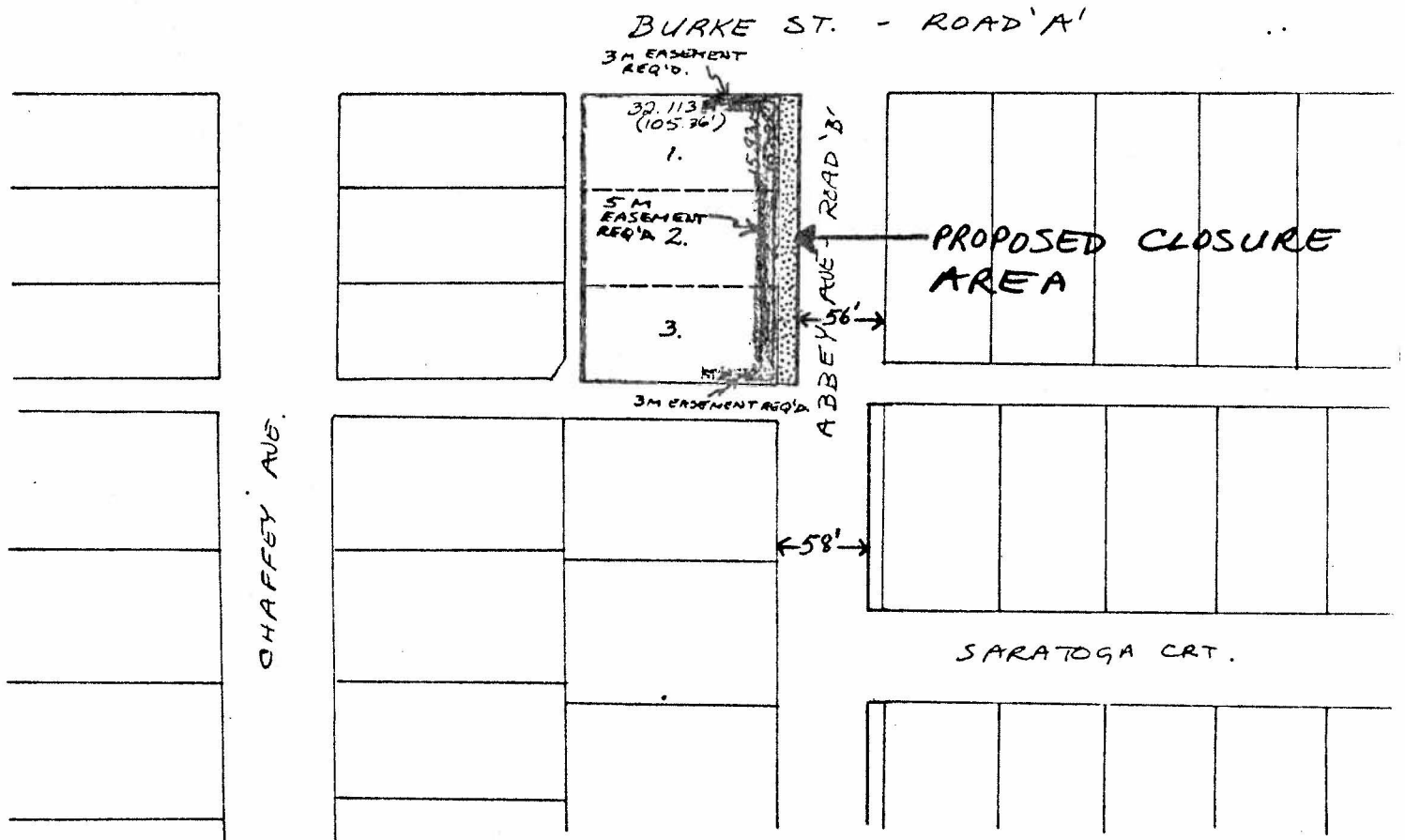
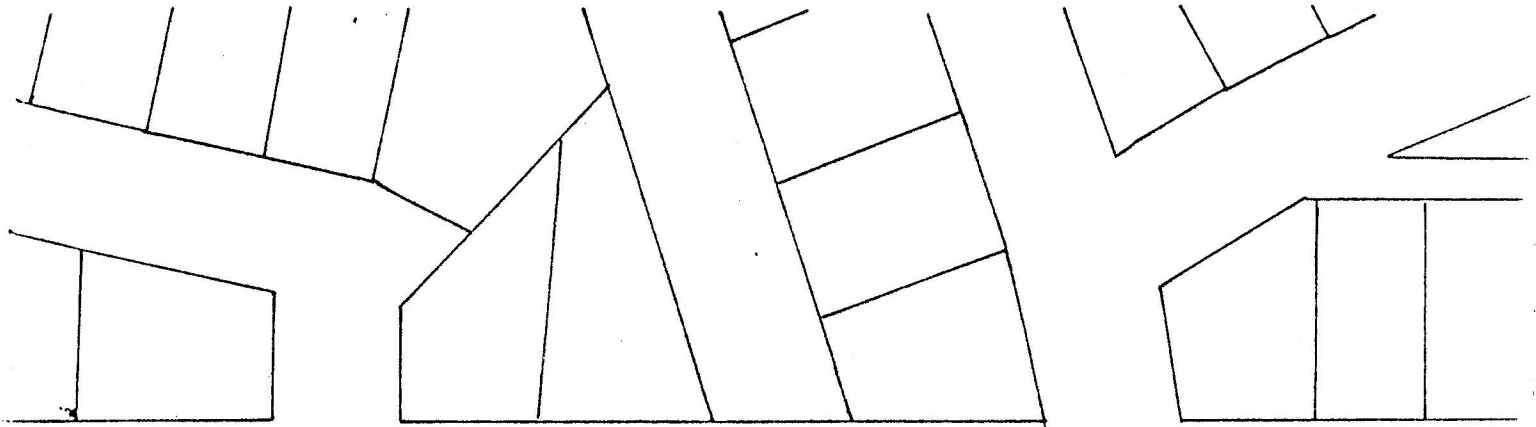
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 ZONING: R5

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**PROPOSED CLOSURE OF  
 A PORTION OF ABBEY AVE.  
 SOUTH OF BURKE STREET  
 ROAD CLOSURE REF. # 11/80**




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ALSO NOTE: PREVIOUS SKETCH ON 1979 SEPT. REQUIRED CLOSURE OF 10' LANE ALLOWANCE TO THE WEST. HOWEVER, THIS REQUIREMENT HAS NOW BEEN DELETED.

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 - PROPOSED 10' CLOSURE AREA.

SKETCH #2