

RE: CLOSURE OF A PORTION OF REGENT STREET AND ACQUISITION OF A PORTION OF ADJACENT PROPERTIES TO FACILITATE CONSOLIDATION AND DEVELOPMENT OF MUNICIPAL LANDS.

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Planning & Building Inspection be adopted.

\* \* \* \* \*

TO: MUNICIPAL MANAGER 1984 September 12

FROM: DIRECTOR PLANNING & BUILDING INSPECTION

Our files: PS-4-83, DL 69  
X-Ref: RZ 26/80, RZ 18/82,  
RC 10/82

SUBJECT: CLOSURE OF A PORTION OF REGENT STREET AND ACQUISITION OF A PORTION OF ADJACENT PROPERTIES TO FACILITATE CONSOLIDATION AND DEVELOPMENT OF MUNICIPAL LANDS

=====

RECOMMENDATIONS:

1. THAT Council authorize the acquisition of a portion of properties addressed at 3958 and 4008 Myrtle Street as shown on the attached Figure 1.
2. THAT the amount of compensation paid be determined by survey at a value of \$3.50 per square foot (which equates to approximately \$11,650.00).
3. THAT the Director Engineering be authorized to arrange for the preparation of the necessary survey plans.
4. THAT Council authorize the registration of a covenant against the title of the closed Regent Street road allowance prohibiting the construction of a building within this area as shown on the attached Figure 3.

Re: Closure of a Portion of Regent Street and Acquisition of a Portion of Adjacent Properties to Facilitate Consolidation and Development of Municipal Lands  
1984 September 12

SUMMARY:

The acquisition of the subject lands is being recommended to enable the Municipality to proceed with the closure of the full Regent Street road allowance and subsequently, with the sale and consolidation of adjacent properties as illustrated on Figure 1. If the Municipality does not acquire these lands we will not be able to close the northern half of the road allowance as the existing owner will not consent to the closure. This would result in a substantial loss in revenue which would otherwise be gained through the closure of this portion of the road allowance and its inclusion in the consolidated parcel to be sold for industrial development. Furthermore, the initial costs of acquiring the subject lands will be recaptured once the consolidated parcel is sold.

REPORT

BACKGROUND:

Council, on 1983 November 14, received the Manager's Report No. 69, Item 2 and authorized the preparation and introduction of Road Closure By-law for certain redundant road and lane closures as shown on the attached Figure 2 to provide for the sale and consolidation of Municipal lands as shown on Figure 1. It was recognized that, in addition to providing for the sale and development of Municipal lands, this action would facilitate the consolidation and development of private lands to the east which are bounded by MacDonald Avenue, Regent Street, Gilmore Avenue and the Grandview Highway. The resultant overall development pattern, which is shown on Figure 3, was seen as being advantageous in that it will provide for a more effective utilization of the lands by waiving the requirement for the construction of Regent Street, thereby reducing servicing and maintenance costs.

In order for Regent Street to be closed, it is necessary to obtain formal consent documents from the abutting owners. In the subject case, the owner of 3958 and 4008 Myrtle Street (immediately north of Regent Street as shown on Figure 1) has stated that he cannot consent to the closure of Regent Street as proposed. He had previously purchased these lands from the Municipality and developed them on the understanding that Regent Street would be constructed in the future. Accordingly, the building designs reflected a double fronting situation with offices overlooking both Myrtle Street and the future Regent Street. They were also set back 30 feet from the property line as Regent Street was previously considered a front yard.

EXISTING SITUATION:

With the closure of the full Regent Street road allowance, the minimum setback from the property line to the existing buildings on 3958 and 4008 Myrtle Street will be reduced to the minimum by-law requirement of 20 feet rather than the existing 30 feet. This excess 10 feet is of no use to this owner and to avoid his holding excess land, he proposed that these lands be acquired by the Municipality, in which case Burnaby would become the abutting owner, thereby negating the need to obtain his consent.

The estimated cost of the purchase is \$11,650, equivalent to \$3.50 per sq.ft. and will be funded from the Land Development and Assembly program in the 1984 Capital Budget.

Re: Closure of a Portion of Regent Street and Acquisition of a Portion of Adjacent Properties to facilitate Consolidation and Development of Municipal Lands  
1984 September 12

Page 3

Staff concurs with this approach as this action will enable the Municipality to proceed with the full road closure as outlined and, consequently, we will receive additional compensation which would otherwise not be gained.

In order to resolve the situation with respect to the fact that the existing buildings have been designed in a double fronting mode with office space oriented towards the Regent Street road allowance, it is proposed to register a covenant against the closed road allowance to prohibit the construction of a building within this area. This will provide for an adequate distance between buildings which would be similar to that which would exist if the road allowance was not closed.

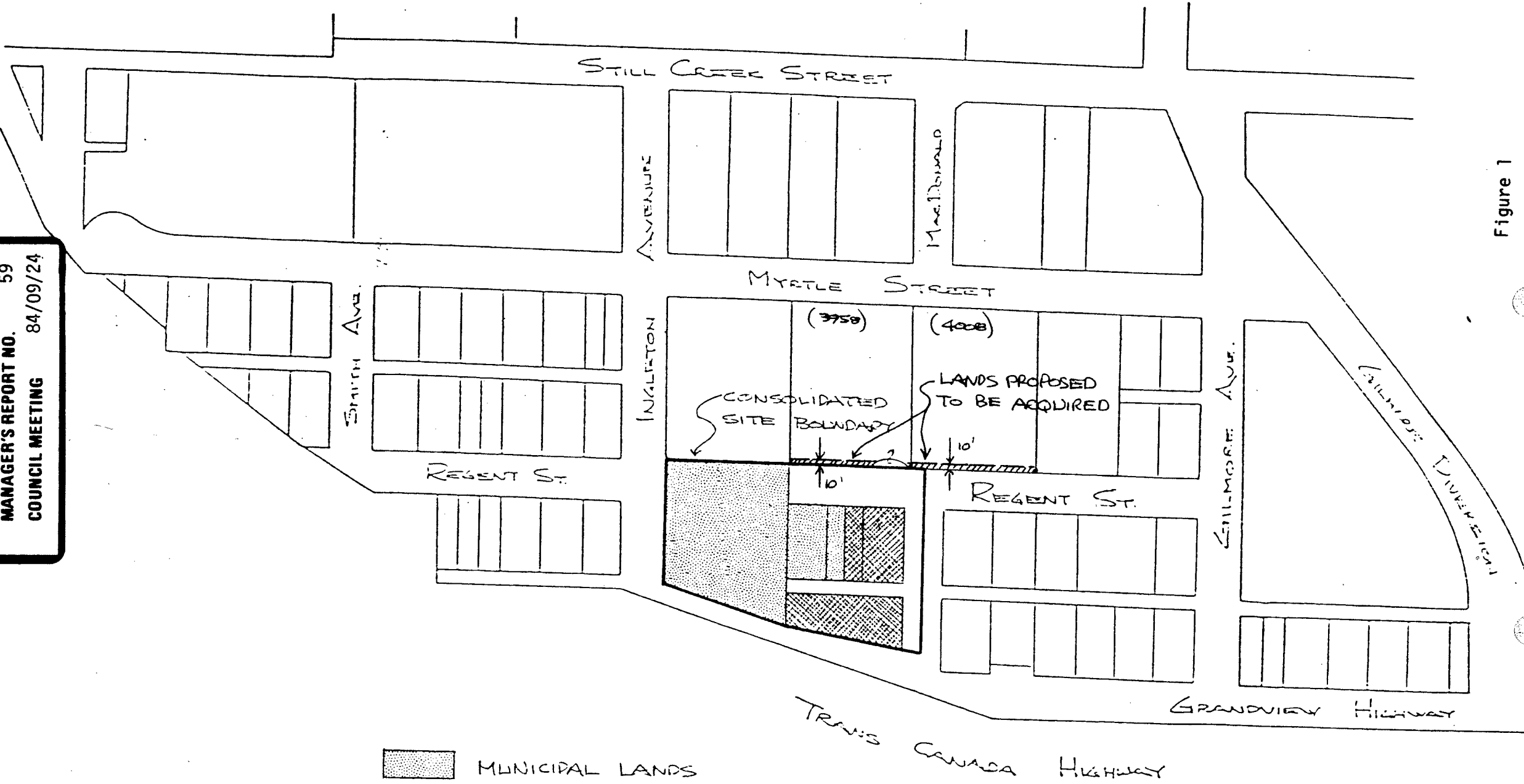
This action is identical to that which was taken with the closure of Regent Street and its consolidation with Municipal lands immediately to the west as shown on Figure 3. These lands are to be developed according to the M5 (Light Industrial) guidelines. Consequently, the registration of a covenant as proposed will not unduly inhibit the available building envelope nor reduce the area of building which can be placed on the site.



  
A. L. PARR  
DIRECTOR PLANNING &  
BUILDING INSPECTION

PB/jce  
Attach.

cc: Municipal Solicitor  
Director Finance

ITEM 3  
MANAGER'S REPORT NO. 59  
COUNCIL MEETING 84/09/24



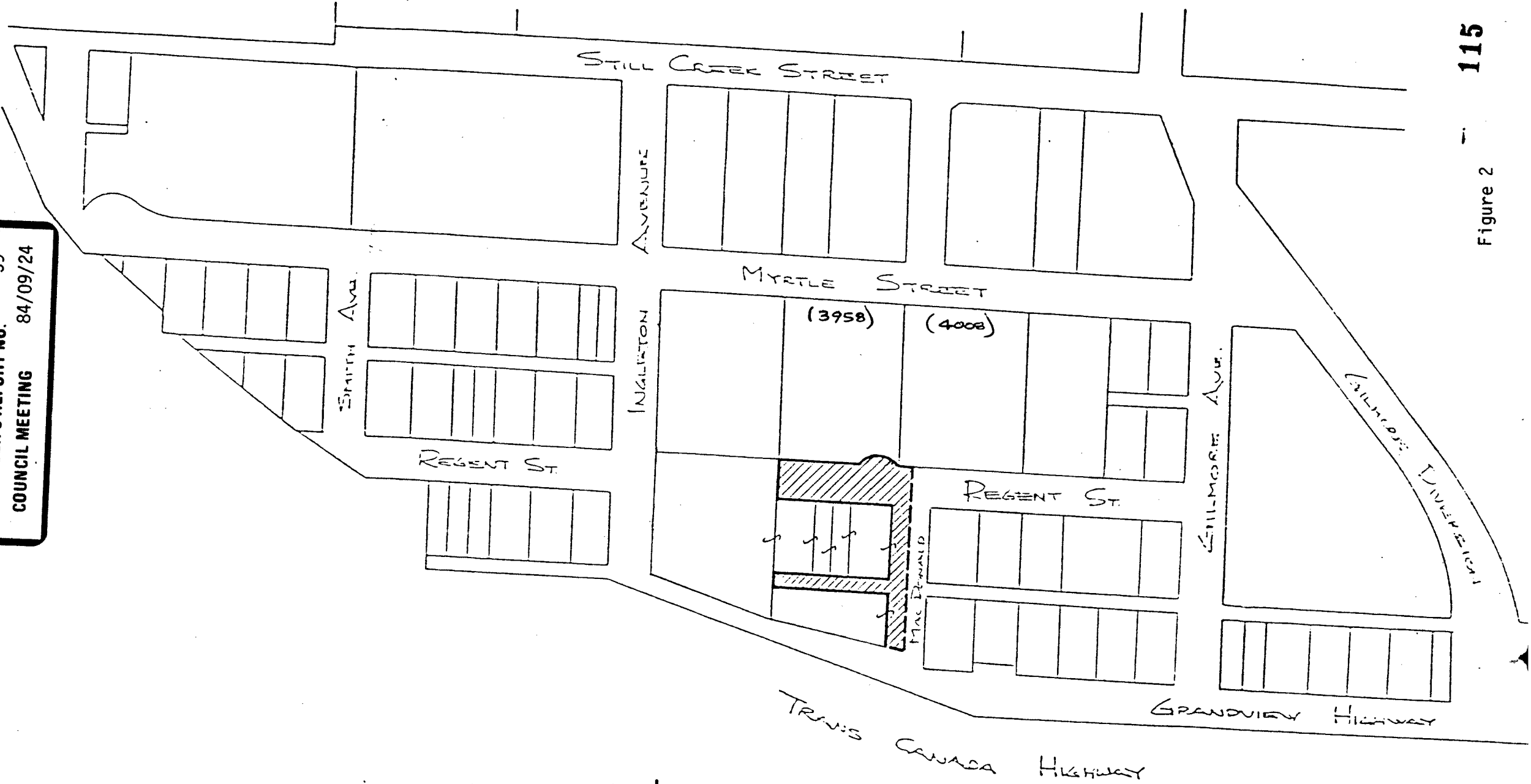
-  MUNICIPAL LANDS
-  PRIVATE LANDS

# PROPOSED SALE OF MUNICIPAL LANDS

1" = 200' FE  
1983 Nov. 01

Figure 1

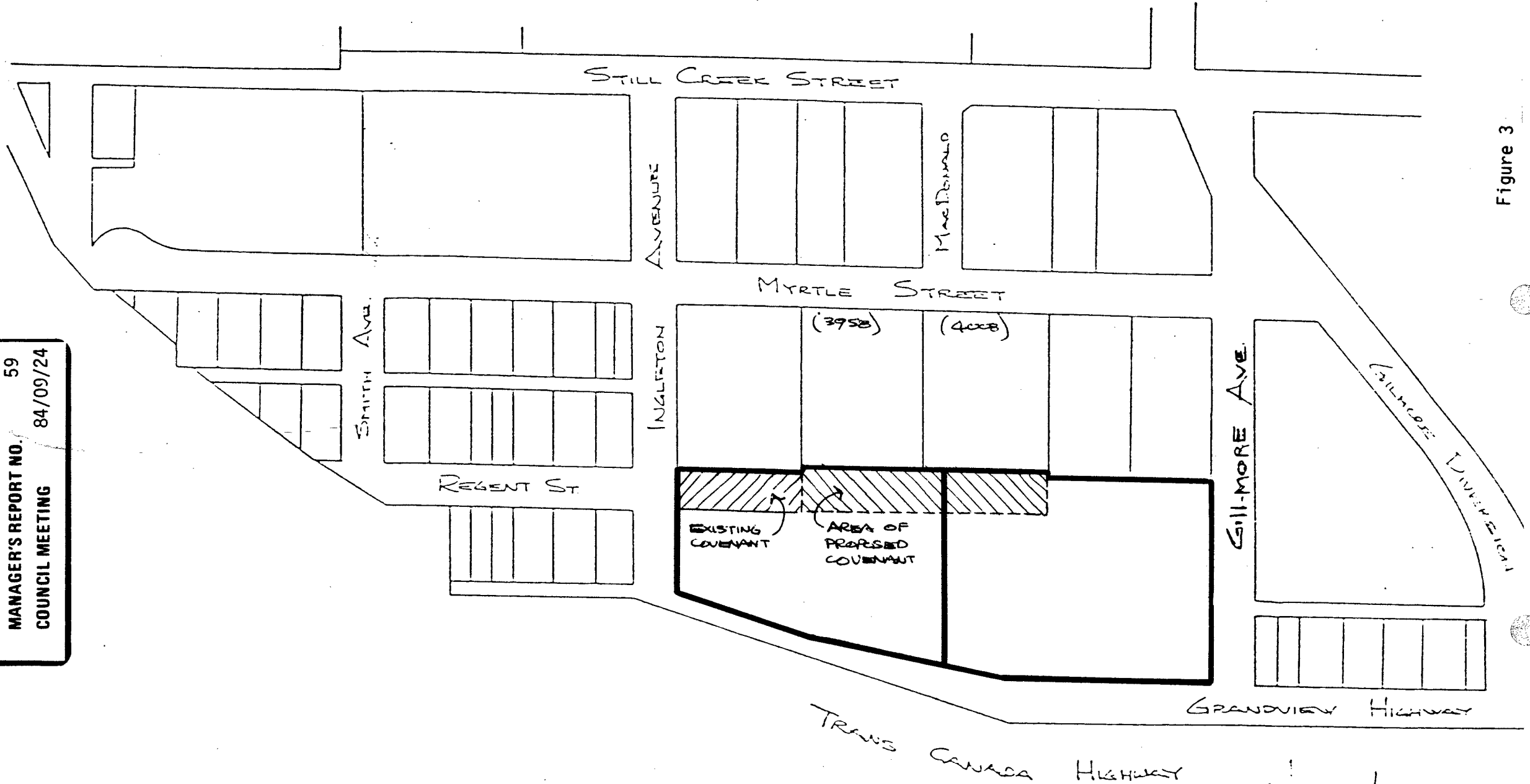
ITEM 3  
MANAGER'S REPORT NO. 59  
COUNCIL MEETING 84/09/24



ROAD & LANE ALLOWANCES TO  
BE CLOSED & CONSOLIDATED

1" = 200' FS  
1983 Nov. 01

ITEM 3  
MANAGER'S REPORT NO. 59  
COUNCIL MEETING 84/09/24



RESULTANT DEVELOPMENT  
CONFIGURATION

NORTH ↑  
1" = 200'  
1983 Nov. 6

Figure 3