

ITEM 16
MANAGER'S REPORT NO. 22
COUNCIL MEETING 92/03/30

TO: MUNICIPAL MANAGER 1992 March 23
FROM: DIRECTOR PLANNING AND BUILDING Our File: RC 6/89
SUBJECT: PROPOSED CLOSURE AND SALE OF A PORTION OF
LANE ALLOWANCE SOUTH OF MARINE WAY BETWEEN
IVY AND GREENALL AVENUES

PURPOSE: To provide Council with information regarding a tentative agreement pertaining to the closure and sale of the subject lane allowance and the provision of a landscape buffer adjacent Marine Way associated with the proposed transaction.

RECOMMENDATIONS:

1. THAT a Road Closing Bylaw be prepared and introduced for that portion of the subject lane allowance shown on Figure 1 attached subject to the following conditions:
 - a) Posting the closed allowance for sale for \$49,838
 - b) Consolidation of the closed lane allowance with the adjacent property (3888 Marine Way).
 - c) Provision, by the applicant, of the necessary survey plans.
 - d) Filling the ditch within the lane allowance (which is no longer required) to an elevation consistent with the adjacent property.
 - e) Implementation by the applicant of the landscape plan (Figure 3 attached).

SUMMARY

The following report outlines a tentative agreement obtained with the applicant regarding a suitable landscape treatment adjacent Marine Way as a component of the closure and sale of the subject lane allowance.

R E P O R T

1.0 BACKGROUND

Council, on 1992 March 02, received a report item regarding the proposed closure and sale of the subject lane allowance. Ms. Jacquie Uhlmann, who is acting as an agent for the applicant, also appeared as a delegation at that meeting.

Arising from the discussion Council adopted a motion referring the matter back to staff to work with the proponent toward the development of a suitable landscaping treatment prior to disposition of the property, with a report to be submitted to Council which includes consideration of the viewpoints expressed by Council.

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2.0 EXISTING SITUATION

Pursuant to Council's instructions, staff prepared a Landscape Plan (Figure 2 attached) which provided for a 3 foot high landscaped berm along a 50 foot portion of the Marine Way frontage. In the balance of the area, the existing plant materials (trees and shrubs) were to be retained. Ground cover was proposed to be added within this area to replace existing river rock. Some additional plant material was proposed to be added at the north-east corner of the site. The net effect is such that staff felt that the interests of the commercial enterprise were addressed with regard to visibility and exposure to Marine Way and at the same time, a suitable landscape element would be introduced for the portions of the Marine Way frontage.

This scheme would result in the loss of 3 parking (vehicle display) stalls which are within the proposed 50 foot landscaped berm. The cost of implementing this plan has been estimated at \$8,500.

3.0 DISCUSSIONS WITH APPLICANT AND PROPOSED AGREEMENT


The landscape plan was presented by Ms. Uhlmann to the applicant who expressed concern over the loss of the 3 parking stalls along Marine Way. It was his position that, while he would be gaining additional lands through the acquisition of the lane allowance, they would not provide the same utility as the lands which front on Marine Way. The cost of the additional landscaping was also of concern.

Consequently, he rejected this proposed solution.

As a result of further discussions, it was agreed to recommend to Council that the proposed 50 foot landscaped berm be reduced to 40 feet to allow the retention of one additional parking stall adjacent Marine Way. In addition, it was agreed that staff would recommend that provision be made to reduce the cost of acquiring the lane allowance to reflect the cost of adding the additional landscape elements.

The applicant's Agent has provided her agreement, in writing, to this revised scheme.

In view of the circumstances pertaining to this specific situation, staff believes this compromise solution best reflects the interests of all parties and recommends its approval by Council.


A.L. Parr, Director
PLANNING AND BUILDING

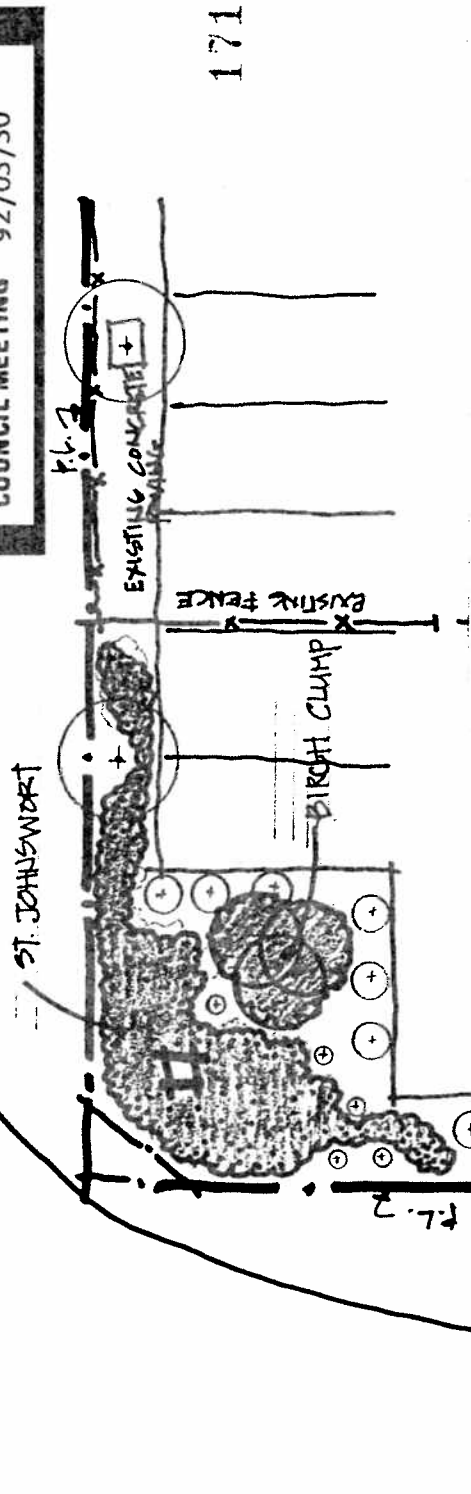
PB/mm
Attachs:

cc: Municipal Solicitor

NORTH
1/8" = 1'-0"

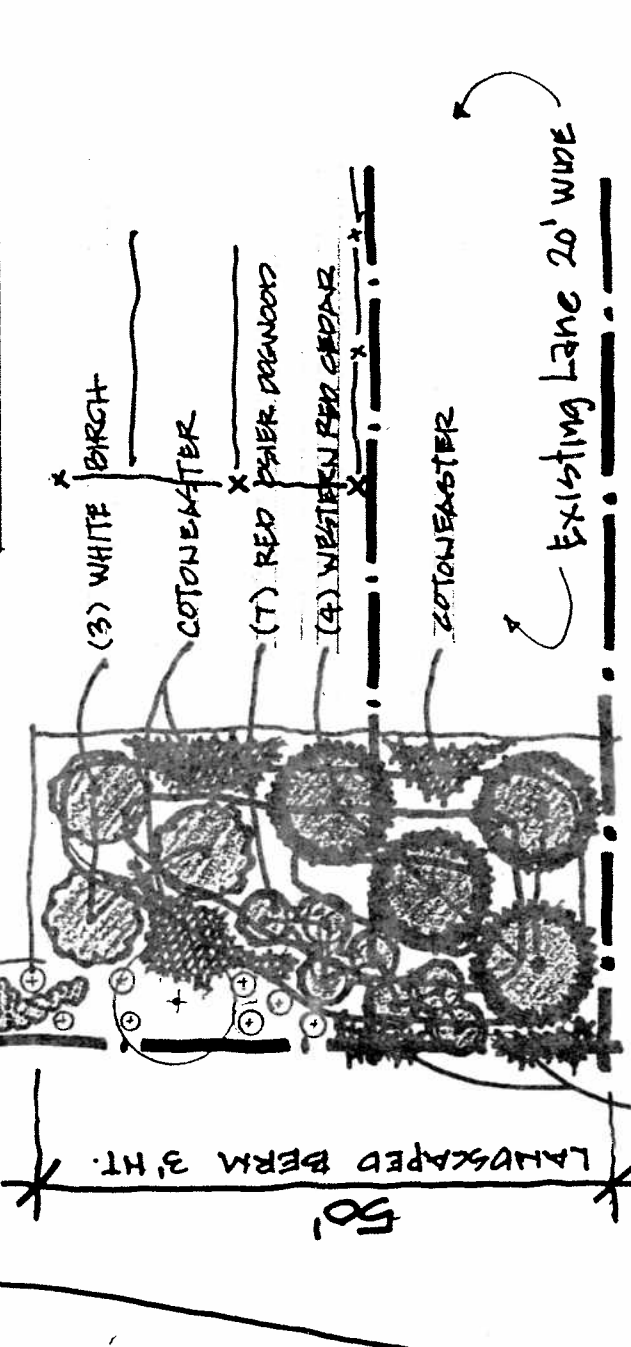
GREENALL AVE.

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PLANT LIST			SIZE / NOTES
QTY	NAME		
(+) (+)	Existing plant material		retain all
4	Western Red Cedar (Thuja plicata)		8-10ft. ht.
3	European White Birch (Betula verrucosa)		2 1/2in. cal.
1	European White Birch (B. verrucosa)		1 1/2in. cal. *multi-stem*
7	Red Osler Dogwood (Cornus stolonifera)		36in. ht.
50	Creeping Cotoneaster (Cotoneaster damerli)		1 gal. pot 24in. o.c.
200	St. Johnswort (Hypericum calycinum)		1 gal. pot 18in. o.c.

NOTES:
Remove all river rock treatments and replace with planting bed soil mix 12in. deep c/w treated timber curbing continuous.



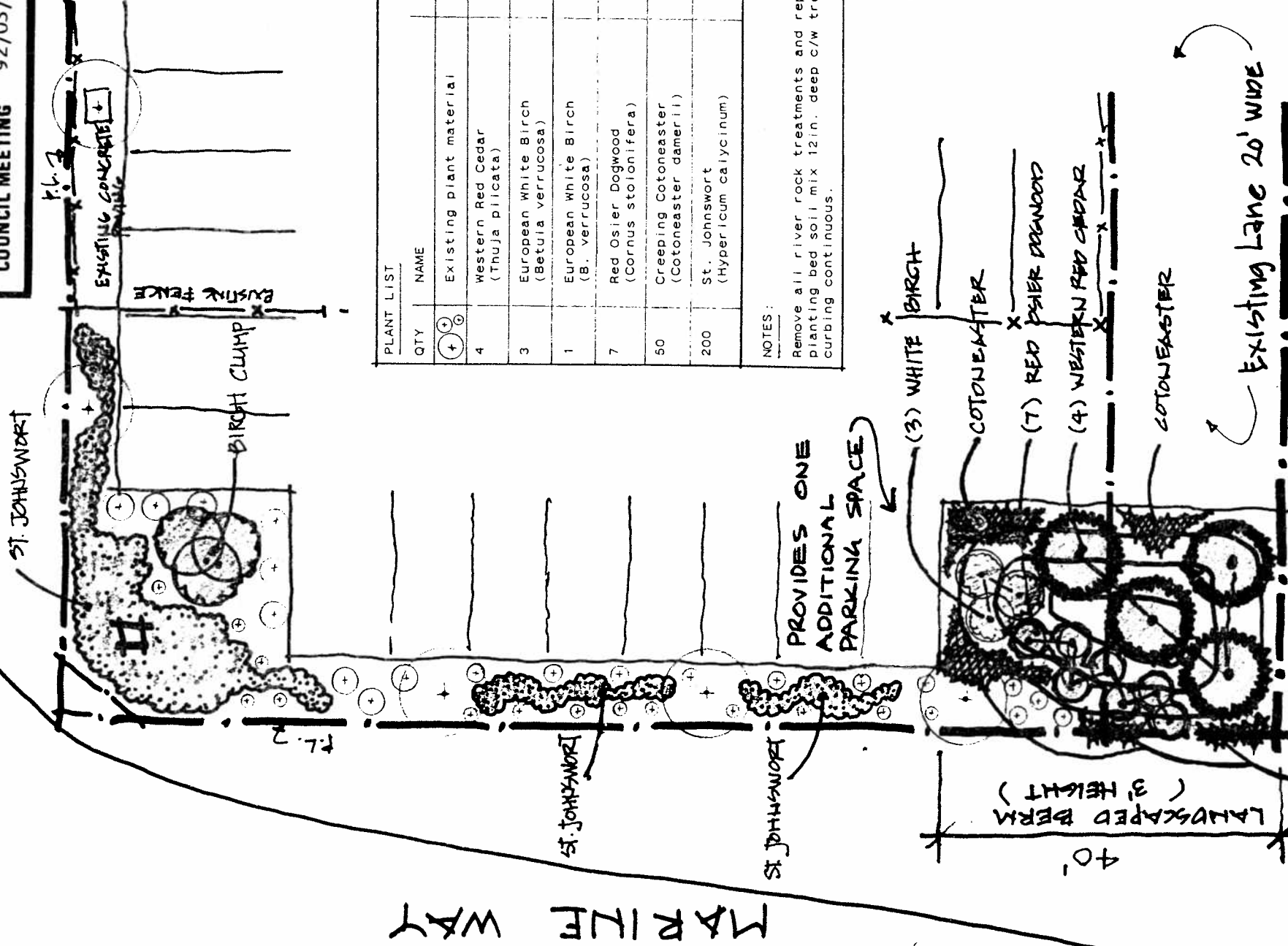
INITIAL CONCEPT
LANDSCAPE PLAN
3888 MARINE WAY

BURLINGTON PLANNING DEPARTMENT. 92.MAR.17
FIGURE 2

NORTH
1/8" = 1'-0"

GREENALL AVE.

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REVISED
LANDSCAPE PLAN
3800 MARINE WAY

LANDSCAPED BERM (3' HEIGHT)
40'
COTONEASTER
6' x 24'
LANDSCAPED BERM 3' HT.
EXISTING LANE 20' WIDE
BURSBY PLANNING DEPARTMENT. 92 MAR 24
FIGURE 3 (REVISED)

