

ITEM	18
MANAGER'S REPORT NO.	49
COUNCIL MEETING	93/08/26

TO: CITY MANAGER 1993 August 18

FROM: APPROVING OFFICER

SUBJECT: SUBDIVISION REFERENCE #61/93
ROAD CLOSURE REFERENCE #4/93
Proposed Closure of a Portion of Sidley Street
Adjacent 7312 Nelson Avenue

PURPOSE: To seek Council authority for the preparation and introduction of a Road Closing Bylaw.

RECOMMENDATION:

1. *THAT* Council authorize the introduction of a Road Closing Bylaw involving a portion of Sidley Street subject to the conditions outlined in this report.

R E P O R T

1.0 BACKGROUND:

The owners of 7312 and 7338 Nelson Avenue (see *attached* sketch) have expressed interest in jointly subdividing their two properties into three regular sized R5 lots as neither property is capable of subdivision on its own (there is no small lot potential within this block front). The combination of the two lots, however, produces a shortfall in area of 120 square feet for the creation of three lots.

RE: S.D. Ref. #61/93 and R.Z.Ref. #4/93
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It was suggested to the owners that the necessary minimum area could be achieved by acquiring approximately .3 m (1 foot) from the properties addressed as 7350 Nelson Avenue and 4925 Watling Street, both of which presently have generous rear yards and would retain their present two-family dwelling potential. However, some months later, the Planning Department was advised by the owners of 7312 and 7338 Nelson Avenue that they had been unsuccessful in their attempts to purchase the required area.

At the request of the owners of the Nelson Avenue properties, staff have examined the feasibility of closing and offering for sale of a .3 m portion of Sidley Street to make up the required area, and it was determined this might be possible, subject to the approval of Council and the Minister of Municipal Affairs, Recreation and Housing via a Road Closing Bylaw.

The proposed closure has been circulated to the various departments and agencies having an interest in the subject road. There are no utilities that will be affected by the proposed closure.

2.0 CURRENT SITUATION:

Upon receipt of responses from all affected departments and agencies, the applicant was informed that, subject to Council approval, the proposed closure would be contingent upon completion of the following conditions:

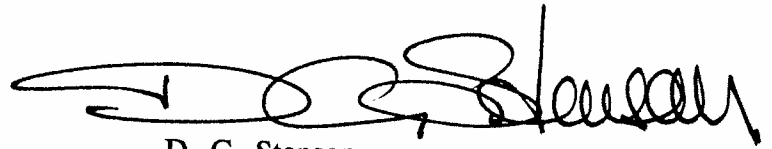
- 1) Consolidation of the road portion with 7312 Nelson Avenue.
- 2) Payment of compensation to the City in the amount of \$4,600.00 for the area being closed, plus Property Purchase Tax, plus GST. This amount was calculated by the Legal Department.
- 3) Submission of the necessary road closing bylaw plan and the consolidation plan to this department.
- 4) Execution of all necessary documents involved in the closure and transfer.
- 5) Payment of all legal and survey costs by the owner.

RE: S.D. Ref. #61/93 and R.Z. Ref. #4/93
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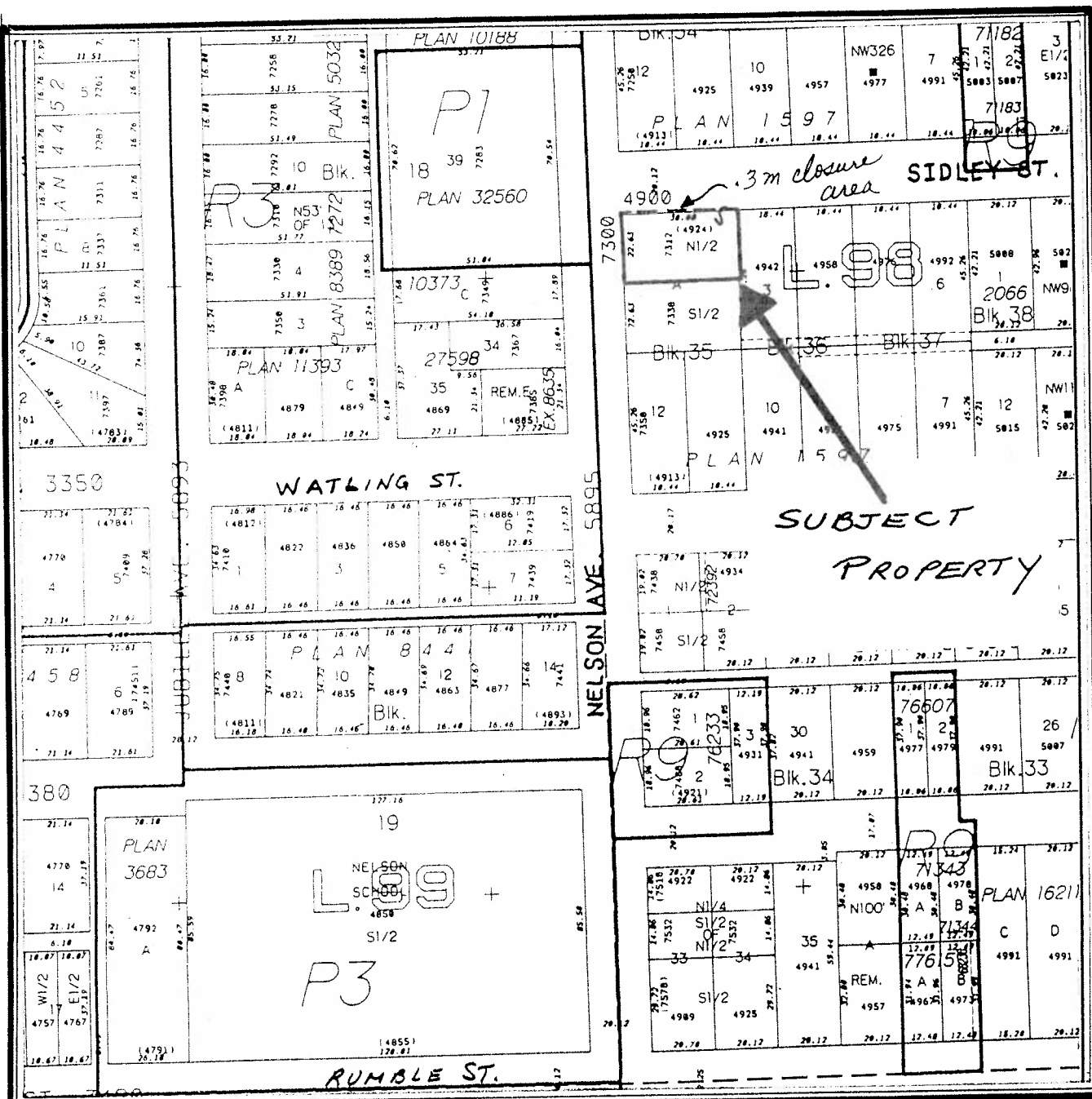
The Planning Department has received the owner's written concurrence with the above conditions.

Once the Road Closing Bylaw has received Final Adoption from Council, Planning staff will circulate the proposed subdivision to various departments and agencies for preparation of a servicing cost estimate and development of the conditions of Tentative Approval of subdivision.



D. G. Stenson
APPROVING OFFICER

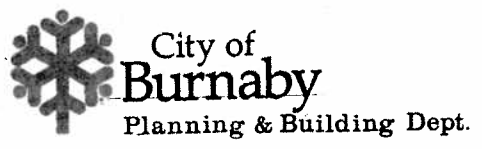
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ROAD CLOSURE REF. #4/93 - D.L.98

