

ITEM	11
MANAGER'S REPORT NO.	56
COUNCIL MEETING	94/10/11

TO: CITY MANAGER 1994 OCTOBER 05

FROM: CHIEF BUILDING INSPECTOR

SUBJECT: LETTER TO COUNCIL FROM MRS. CLARICE BELL
REGARDING LANE ACCESS
7900 BLOCK ROSEWOOD STREET

PURPOSE: To provide information in connection with a letter received by Council on 1994 October 03.

RECOMMENDATION:

- 1) **THAT** a copy of this report be sent to Mrs. Clarice Bell at 7944 Rosewood Street, Burnaby, B.C. - V5E 2H3

R E P O R T

1.0 BACKGROUND

On 1983 November 22, Mr. Ken Bailey, owner of the residence at 7948 Rosewood Street, submitted an application to the Building Division for a building permit to demolish an existing deteriorated garage at the rear of the residence and construct a new detached garage at the rear of the property with access from the lane.

As noted on the *attached* sketch, the subject property is located at the end of a portion of developed lane serving the 7900 Block Rosewood and Wedgewood Streets. The lane has not been completed behind the remaining properties, as only 3.05 m of the required 6.10 m has been dedicated for this purpose at this time.

In processing the application, an internal request for information regarding the availability of the lane was referred to the Engineering Department on 1983 November 22. Engineering Department staff considered the location of the property at the end of the constructed lane and the limited 3.05 m exposure of the property to the completed lane in granting their approval for the construction of a detached garage.

Unfortunately, due to the age of the residence, our records are limited for the property at 7944 Rosewood Street owned by Mrs. Bell. It appears from our records that the residence was constructed prior to 1954, as a building permit for an addition was issued at that time. A building permit was also issued for a detached garage in 1959 December 03.

A site visit on 1994 September 29, revealed that the existing location of the residence is approximately 1.5 m from the south property line. Both properties currently share a driveway which is approximately 3.6 m wide leading to garages immediately behind the residences. The concrete driveway appears to have been installed at the time of the construction of the parking structures, as evidenced by the deterioration of the concrete. Unfortunately we are not informed of private agreements regarding shared driveway access, and while this must have been the case in this instance, there is no record on file to this effect.

2.0 LANE DEDICATION

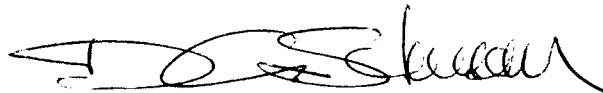
Lane dedication normally only occurs when either the property owner voluntarily dedicates the land for public lane purposes or as a condition of subdivision or rezoning. In this case, neither property is capable of subdivision. Mrs. Bell has submitted a petition to the Engineering Department for the extension of the lane from 7948 Rosewood Street to 7920 Rosewood Street to provide rear lot access. In order to proceed with the proposed extension as a local improvement project, the City would require lane right-of-way dedication from three property owners. Upon the completion of the right-of-way dedication and registration, the Engineering Department will forward a formal petition to the affected residents to obtain the required signatures for the project. A report on the outcome of the petition will be forwarded to Council for approval at that time.

In the interim, Mrs. Bell has been informed that if she requires an improved access to her property as the result of redevelopment on the adjacent property, a new driveway crossing on Rosewood Street will be provided on an interim basis to meet her need.

3.0 CONCLUSION

The property at 7948 Rosewood Street has acceptable rear access from the constructed lane, while 7944 Rosewood Street relies on a shared driveway access from Rosewood Street. The City is not aware of a private agreement for the use of the shared driveway nor any conditions which might be contained therein, however, staff will continue to work with Mrs. Bell to ensure that access will be provided to her property should redevelopment occur at 7948 Rosewood Street.

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D.G. STENSON, DIRECTOR
PLANNING AND BUILDING

GRH:ap.
Attach.

cc: Director, Engineering
Chief Building Inspector

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SEE FACET 12-1

