

ITEM	9
MANAGER'S REPORT #	16
COUNCIL MEETING	95/04/03

TO: CITY MANAGER

1995 March 27

FROM: APPROVING OFFICER

SUBJECT: ROAD CLOSURE REFERENCE #16/93
449 N. SPRINGER AVENUE
PROPOSED HIGHWAY EXCHANGE

PURPOSE: To seek Council authority for the preparation and introduction of a Highway Exchange Bylaw and approval of the recommended compensation amount for the net gain in site area.

RECOMMENDATION:

1. THAT Council authorize the preparation and introduction of a Highway Exchange Bylaw involving the closure of a lane allowance in exchange for the dedication of a lane turnaround, subject to the conditions outlined in Section 2.0 of this report.
2. THAT Council approve the recommended compensation amount of \$33,920.00, which is subject to legal survey, for the net gain in site area.

REPORT

1.0 **BACKGROUND:**

In response to a subdivision enquiry by the owner of 449 N. Springer Avenue, which is zoned R2 Residential District, the Planning and Building Department determined that there was insufficient area for the creation of two lots without the inclusion of unopened lane allowance abutting the north side of the property (see *attached* sketch). This lane is considered generally redundant for traffic purposes; however, the City plans to construct a sanitary sewer system on the west and north sides of this property as soon as possible.

CITY MANAGER

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As a result, one of the conditions of subdivision approval would be granting of a statutory right-of-way over the westerly 3m of the property as well as the lane closure area to enable the City to have the sanitary system installed. Another condition would involve the dedication of property on the west side for a lane turnaround which would be constructed when sufficient dedication to the south had been achieved. The simplest and most expedient method to achieve the City's requirements would be via Highway Exchange Bylaw.

A report of the proposed lane closure has been circulated to the various agencies and departments having an interest in this matter.

2.0 CURRENT SITUATION:

When all reports were received, the Planning and Building Department sent a letter to the owner of 449 N. Springer Avenue stating that the closure would be contingent upon completion of the following conditions:

1. Consolidation of the redundant portion of the lane allowance with 449 N. Springer Avenue.
2. Dedication of a lane turnaround as shown on the sketch.
3. Payment of compensation to the City for the net gain in site area. The amount of compensation has been determined by the Legal Department to be \$33,920.00; however, this amount is preliminary only and will require adjustment when exact areas of acquisition and dedication have been determined by legal survey. Note that the required payments of PPT and GST are based on the value of the gross area to be acquired.
4. Submission of the necessary highway exchange bylaw plan and consolidation plan to Planning as well as an up-to-date Title Search for the property.
5. Registration of a statutory right-of-way over the entire closure area as well as the westerly 3m of 449 N. Springer Avenue for sanitary sewer and storm drainage purposes.
6. Registration of a statutory right-of-way over the entire closure area to protect an existing B.C. Hydro / B.C. Tel joint pole lead.

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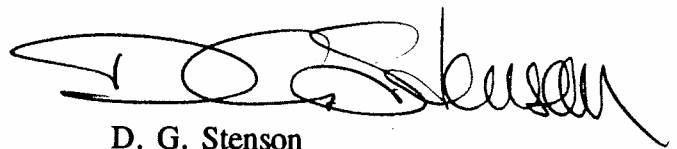
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7. Submission of a letter of consent from the Real Property Taxation Branch.
8. Payment of all survey costs, document preparation fees, and registration costs.
9. Submission of a Statement as to Citizenship together with an application fee of \$525.00 and Final Examination fee of \$100.00 to Planning.
10. Concurrent registration of an extension of mortgage document.

The owner of the subject property has submitted a letter concurring with the above conditions.

3.0 CONCLUSION:

In order to enable subdivision and acquire a needed statutory right-of-way expeditiously, we are seeking Council authority to proceed with the aforementioned Highway Exchange.



D. G. Stenson
APPROVING OFFICER

AD:hr
Att.

cc: Deputy City Manager Corporate Services
City Solicitor
Director Engineering
Director Finance

