

TO: CITY MANAGER

2002 June 12

FROM: APPROVING OFFICER

SUBJECT: ROAD CLOSURE REFERENCE #02-9
Closure of a Portion of 19th Avenue and Two City Parcels used as Road Allowance and Dedication of a Portion of 7578 and 7602 - 19th Avenue for Provision of a Cul-de-sac.

PURPOSE: To seek Council authorization for the closure of a portion of 19th Avenue and two City parcels used as road allowance and the dedication of a portion of two City lots (7578 and 7602 - 19th Avenue) for the provision of a cul-de-sac to facilitate the consolidation of City properties for the new Fire Hall #2 site.

RECOMMENDATIONS:

1. **THAT** Council repeal Bylaw No. 10190 (Burnaby Highway Exchange Bylaw No. 3, 1995).
2. **THAT** Council authorize the introduction of a Highway Exchange Bylaw for the closure of a portion of 19th Avenue and two City parcels used as road allowance and the dedication of a portion of 7578 and 7602 - 19th Avenue for provision of a cul-de-sac as outlined in this report.
3. **THAT** Council authorize the preparation of the subdivision plans to consolidate the properties into one legal parcel for the re-development of Fire Hall #2, Highway Exchange Bylaw plans to dedicate the portions of 7578 and 7602-19th Avenue for provision of a cul-de-sac in exchange for the closure of a portion of 19th Avenue and two City parcels used as road allowance and any necessary right-of-way plans.
4. **THAT** a copy of this report be forwarded to Mr. Greg Frank, Secretary-Treasurer, Burnaby School District.

REPORT

1.0 BACKGROUND:

Council, at its meeting of 1995 March 13, approved a Highway Exchange between the City and the School District involving the Edmonds School site (see *attached* Sketch #1). It was proposed, at that time, that a portion of 19th Avenue would be closed and consolidated with the school site in exchange for the required 6.0m dedication along Edmonds Street from the

school's property. Although the Highway Exchange Bylaw received all of its required readings and was finally adopted on 1995 April 3rd, the plans and documents for it and the resultant overall subdivision were never registered at the Land Title Office as the final "Property Disposal" certificate that is required from the Minister of Education was not received in its proper form.

2.0 CURRENT SITUATION:

As part of our review of the area of property currently in use for Fire Hall #2 (7578 Edmonds Street), and the need to create a larger site for redevelopment, it has been determined that what was shown on our maps as road allowance between the fire hall and two City-owned properties (7602 Edmonds Street and 7601-19th Avenue) are, in fact, two titled parcels owned by the City (see *attached* Sketch #2). These parcels were dedicated under the Municipal Act by Burnaby Road Dedication Bylaw #358 which received reconsideration and Final Adoption on 1922 April 24 and was then deposited in the Land Title Office. However, these parcels were **not** dedicated as road under the Land Title Act as the requisite plans were never filed. To this date, they have remained as titled parcels, held by the City of Burnaby, with the legal notation on the title "Alive as to road only....". We have conferred with officials at the LTO. who suggested that, in order for that legal notation to be removed, Council should adopt a new bylaw which would close what was dedicated in 1922. We can then request that this notation be removed from the title of the two parcels. Once the notation is removed, we can consolidate these parcels with 7578 Edmonds Street, 7602 Edmonds Street and 7601-19th Avenue to create a larger site for the redevelopment of Fire Hall #2 (see *attached* Sketch #3).

It should be noted that the portion of 19th Avenue proposed to be closed in the current Highway Exchange Bylaw (see Sketch #2) has been reduced in comparison with the 1995 Bylaw (see Sketch #1). This has been made necessary by the availability of the required turning radius for the fire trucks in relation to the conceptual floor plan for the new Fire Hall #2. This change has been discussed with School District staff and will be reflected in the final subdivision plan for the area.

It will be necessary for Council to repeal Bylaw No. 10190, Burnaby Highway Exchange Bylaw No. 3,1995 (the original Highway Exchange areas shown on Sketch #1) so that the amended closure area for 19th Avenue can be achieved.

CITY MANAGER

Re: Road Closure Reference #02-09
2002 June 12.....Page 3

3.0 CONCLUSION:

In order to create a new site for the redevelopment of Fire Hall #2, it is necessary to repeal the original Highway Exchange Bylaw from 1995 and process this new proposed Highway Exchange Bylaw which will lead to the consolidation of the City lots on the north side of 19th Avenue into one legal parcel.



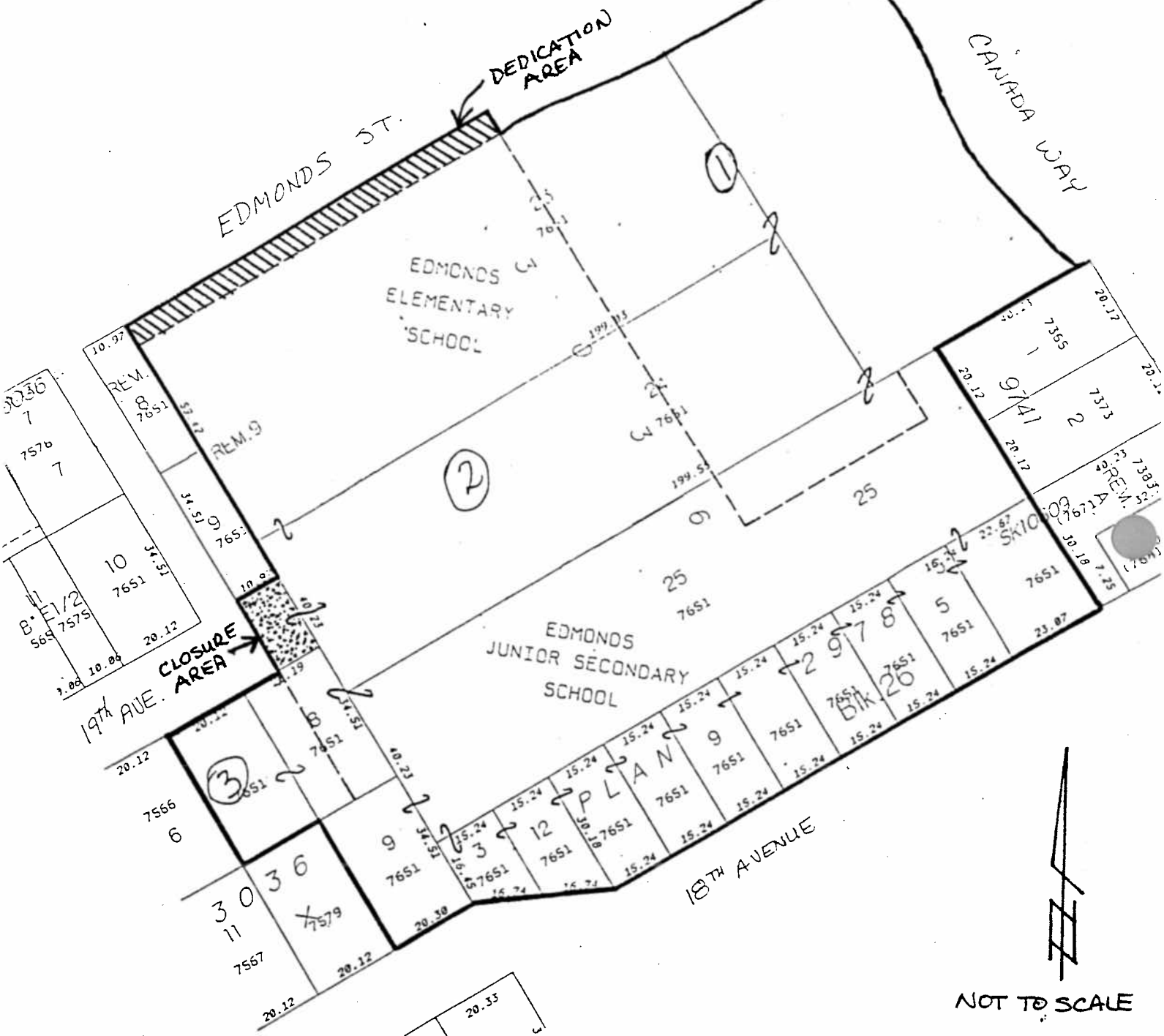
J. S. Belhouse
APPROVING OFFICER

SAM:hr
Attachments

cc: City Solicitor
Director Engineering
Director Parks, Recreation and Cultural Services

P:\sam\PL-RoadClosure#02-9-ClosurePtn19th Avenue

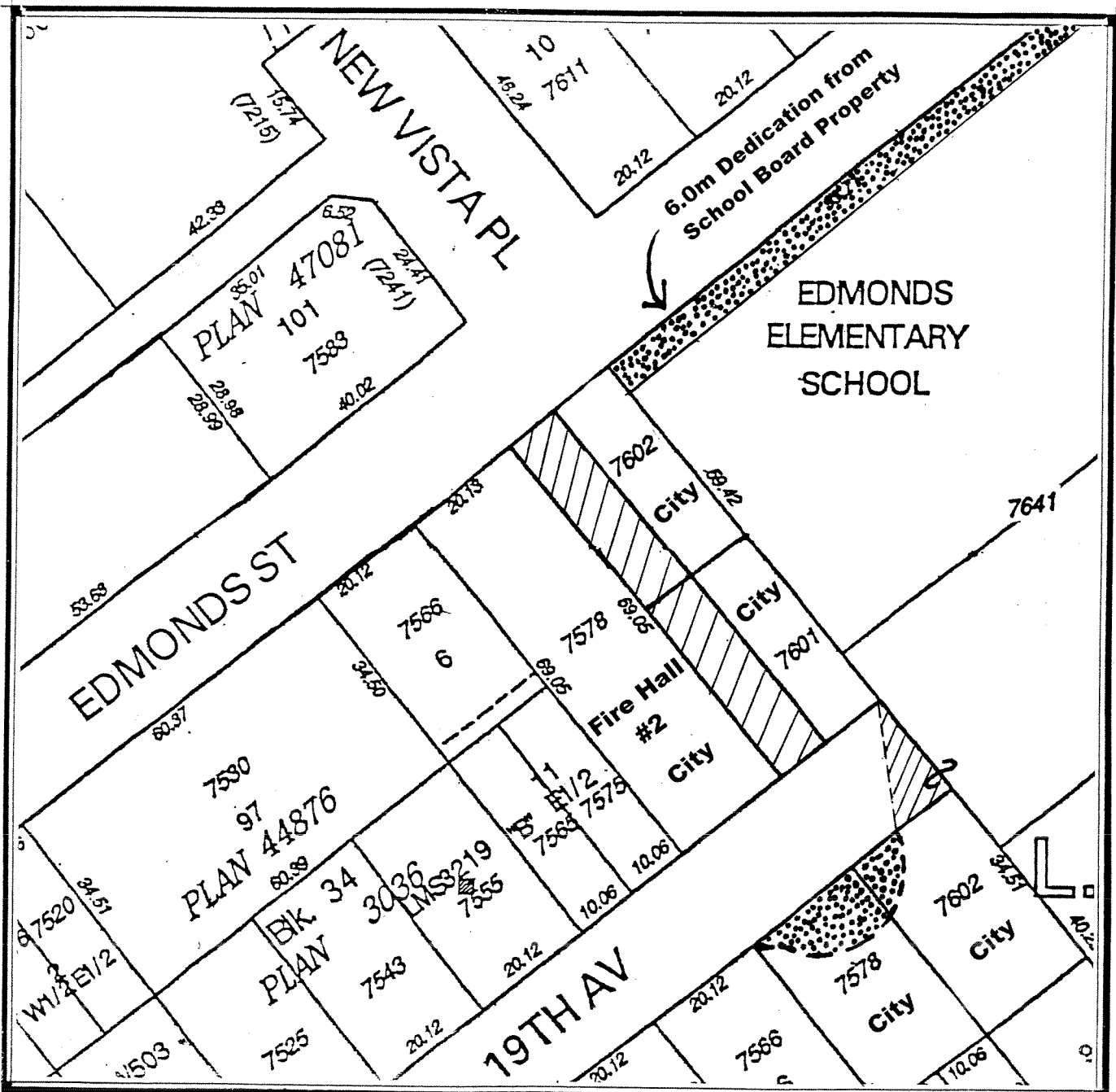
ITEM 4
 MANAGER'S REPORT NO. 12
 COUNCIL MEETING 15/03/13



NOT TO SCALE

ROAD CLOSURE REF. # 15/90
 SUBDIVISION REF. # 9/92

- PORTION OF 19TH AVE. TO BE CLOSED + CONSOLIDATED WITH LOT 2
- PORTION TO BE DEDICATED ON EDMONDS ST.



Date:
2002 June

Scale:
1:1000

Drawn By:
sam.



City of
Burnaby
 Planning & Building Dept.

Road Closing Reference #02-9

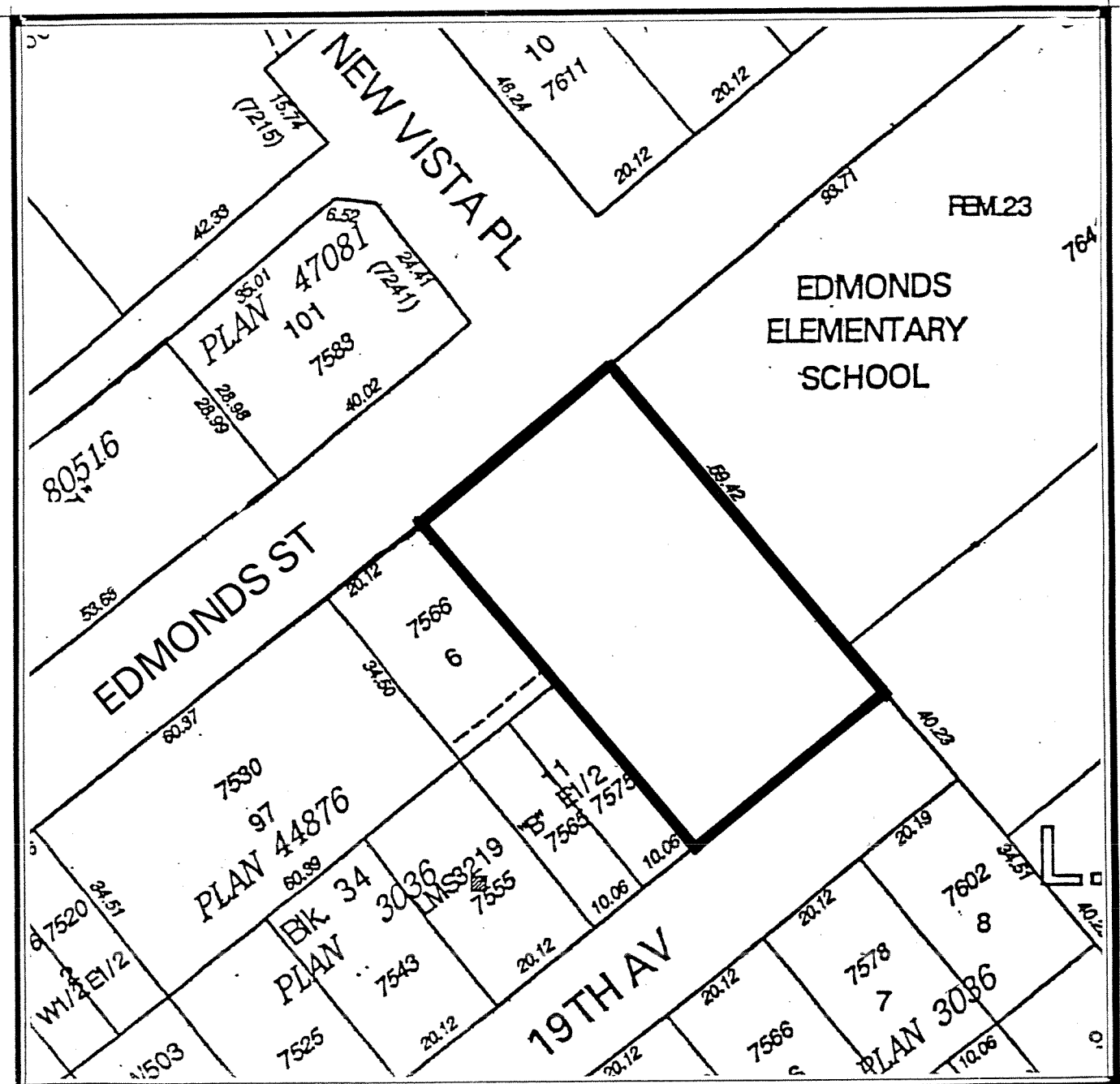


Road Closure Area



Road Dedication Area

Sketch #2



Date:
2002 June

Scale:
1:1000

Drawn By:
sam



City of
Burnaby
 Planning & Building Dept.

**Proposed Consolidated Site
 for Fire Hall #2**

Sketch #3