

TO: CITY MANAGER

2002 May 21

FROM: APPROVING OFFICER

**SUBJECT: ROAD CLOSURE REFERENCE # 01-10
X-REFERENCE SUBDIVISION #01-42
Proposed Closure of Portion of Road Allowance (via Highway Exchange)
Adjacent to 3681 Lynndale Crescent (City Lot) to be Consolidated with the
Proposed Subdivision and the Dedication of a Portion of 7347 Winston Street
to be Constructed as Road.**

PURPOSE: To seek Council authority to close a portion of Lynndale Crescent road allowance to be consolidated with 7347 Winston Street.

RECOMMENDATION:

1. **THAT** Council authorize the Introduction of a Highway Exchange Bylaw involving the closure of a portion of road allowance adjacent to 3681 Lynndale Crescent in exchange for a portion of 7347 Winston Street to be dedicated as road, subject to the conditions outlined in Section 2.0 of this report.

REPORT

1.0 Background

A subdivision application has been received from the owner of 3751 Phillips Avenue and 7347 Winston Street to create four residential R1 lots as shown on the *attached* Sketch #1. In order to complete the subdivision as proposed, a portion of the Lynndale Crescent road allowance must be closed and consolidated with the subject site and, in exchange, a portion of 7347 Winston Street be dedicated and constructed as road. In addition, the subdivision layout requires a City lot addressed 3681 Lynndale Crescent, (Lot 191, D.L. 44, Group 1 New Westminster District Plan 51253), be consolidated with the subject site. This lot was obtained by the City in a land exchange in 1976. According to the Council Report at that time, it was the intention of the City Council for eventual inclusion in a future subdivision of the land to the east which involves the current application. Council, at its meeting of 2002 May 13, authorized the sale of the City-owned lot located at 3681 Lynndale Crescent (Lot 191 D.L. 44 Group 1 NWD Plan 51253) which is to be consolidated with proposed Lot 3 of the subdivision survey plan.

2.0 Highway Exchange

Closure of the road allowance and dedication of a portion of the property as road allowance as shown on the attached Sketch #2 (via Highway Exchange) has been circulated to various internal departments and external agencies for review. As the total area to be dedicated (227.4 m²) is greater than the road allowance to be closed (37.0m²), there will be no exchange of funds. However, the GST and PTT will be payable by the developer and will be based on the value of the road being closed. The following conditions were included in a letter to the applicant who has concurred with these conditions:

- a) Submission of the registration set of Highway Exchange Bylaw plans.
- b) Consolidation of the closure area with proposed Lot 3 on the Subdivision Plan.
- c) Relocation of the B.C. Gas main located within the closure area. The developer will be responsible for all related costs of this relocation. As the relocation will likely occur after registration of the subdivision plan, B.C. Gas will require an interim statutory right-of-way over the entire closure area. The subdivider must provide a registration set of right-of-way plans including 15 paper prints to the City with three copies of the fully executed statutory right-of-way document for eventual registration.
- d) B.C. Hydro and Telus will require a statutory right-of-way over the closure area for the protection of their plant. The subdivider must provide a registration set of right-of-way plans, including 15 paper prints, to the City with three copies of the fully executed statutory right-of-way document, for eventual registration.
- e) Preparation by the applicant's Solicitor of any Extension of Mortgage Documents over the closure areas acquired.
- f) The necessary Transfer documents for the closure area will be prepared by the City Solicitor after the plans, mentioned in a) above, have been received and the Highway Exchange Bylaw prepared and given all four readings by City Council.
- g) Payment of the required provincial property purchase tax for the gross closure area being transferred.
- h) Either completion and return of the GST exemption form or payment of the required GST (7% of the total land value of the closure area that will be indicated on the Transfer document).

The developer will be responsible for all legal and survey costs associated with the closure, dedication and site consolidation.

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3.0 Conclusion

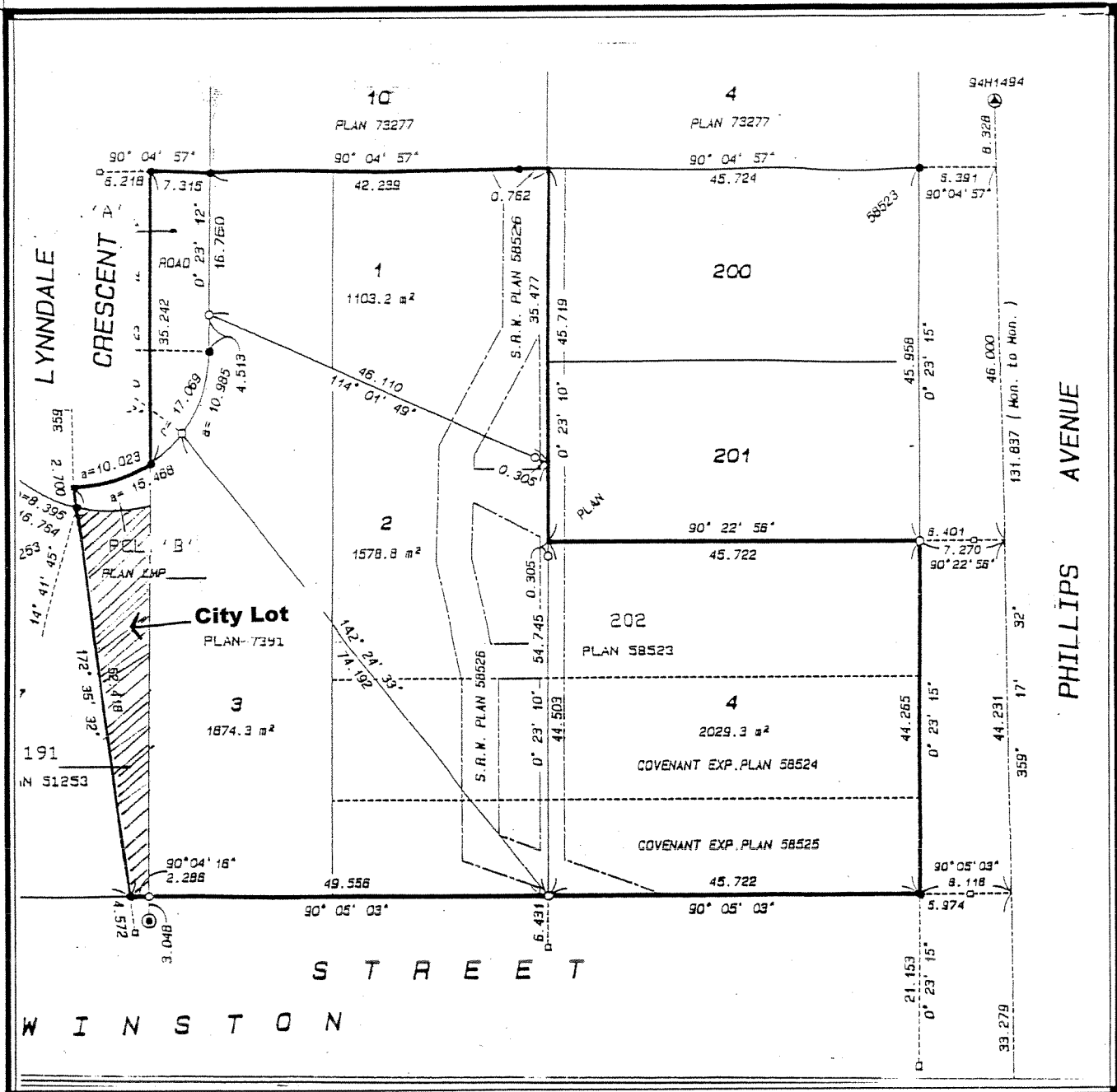
It is recommended that Council authorize the introduction of a Highway Exchange Bylaw to pursue closure of the portion of the Lynndale Crescent road allowance and dedication as described in Section 2.0 above.



J. S. Belhouse
APPROVING OFFICER

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Date: 2002 May 06

Scale: N.T.S.

Drawn By: KAB

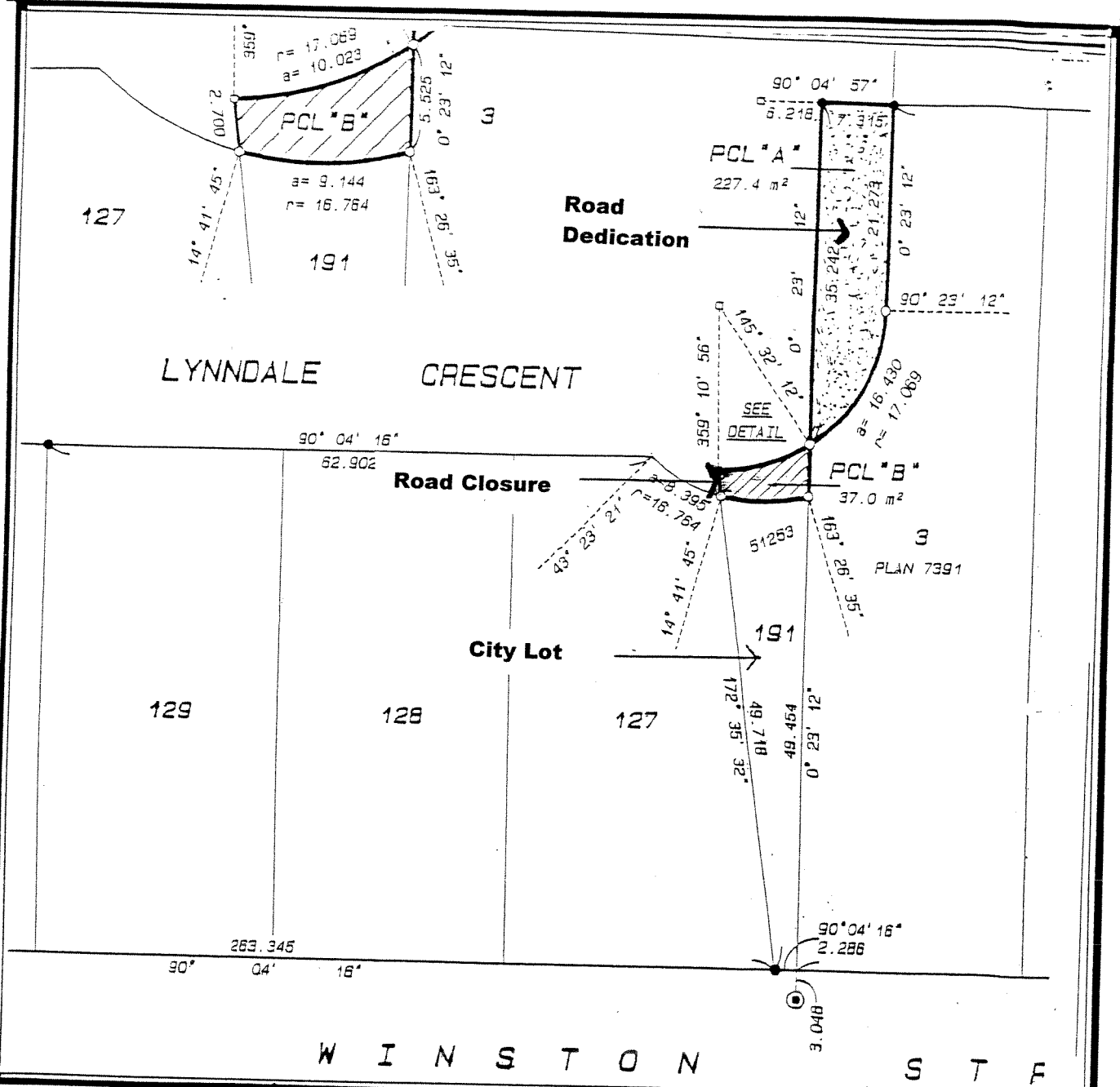


City of Burnaby
 Planning & Building Dept.

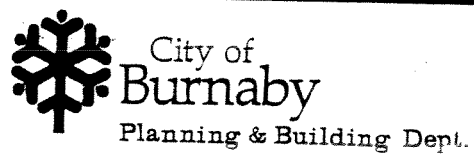
Subdivision Reference #01-42
3751 Phillips Av, 7347 Winston St. & 3681 Lynndale Crescent



Sketch # 1



Date: 2002 May 06
 Scale: N.T.S.
 Drawn By: KAB



Closure
 Dedication

Road Closure Reference # 01-10.
 Subdivision Reference # 01-42

Sketch # 2

