

TO: CITY MANAGER 2003 October 09

FROM: APPROVING OFFICER

**SUBJECT: ROAD CLOSURE REFERENCE # 02-7
X-REFERENCE SUBDIVISION #02-27
Proposed Closure of Portion of Road Allowance (via Road Closing Bylaw)
Adjacent to 7566 Greenwood Street to be Consolidated with the Proposed
Subdivision.**

PURPOSE: To seek Council authority to close and sell a portion of the unopened Greenwood Street road allowance to be consolidated with 7566 Greenwood Street.

RECOMMENDATION:

1. **THAT** Council authorize the Introduction of a Road Closing Bylaw involving the closure and sale of a portion of Greenwood Street road allowance adjacent to 7566 Greenwood Street to be consolidated with 7566 Greenwood Street subject to the conditions outlined in this report.

REPORT

1.0 Background

A subdivision application has been received from the owner of 7566 Greenwood Street to create two residential R2 lots as shown on the attached Sketch #1. In order to complete the subdivision as proposed, a portion of the road allowance must be closed and consolidated with the subject site. The road allowance is unopened and unconstructed. In 1974, the portion of road allowance to the north was consolidated with 7589 Greenwood by Road Closing Bylaw Plan 45940. The balance of 10.06m (33 ft.) road allowance is redundant and is best suited for consolidation with the subject site. The road allowance to the east, topographically is steep terrain and abuts the Eagle Creek Ravine.

2.0 Road Closing

Closure of the road allowance has been circulated to various internal departments and external agencies for review and comments. There have been no objections raised to the closure and sale of this redundant right-of-way. The total area of road allowance to be closed is (430 m² or 4,628.6 sq. ft.). The following conditions were included in a letter to the applicant who has concurred with these conditions:

- a) Submission of the registration set of Road Closing Bylaw plans.
- b) Consolidation of the closure area with proposed Lot 2 on the subdivision plan.
- c) The City Solicitor has provided a cost of \$57,800.00 (\pm \$12.48 per square foot) for the closure area of 4,628.6 square ft. (430 m²) subject to Council approval. However, there may be adjustments to this amount based on final Engineering Servicing and other related costs.
- d) Preparation by the applicant's Solicitor of any required Extension of Mortgage documents over the City lands being acquired, duly executed and held for concurrent registration.
- e) The necessary Transfer documents for the land will be prepared by the City Solicitor in due course.
- f) Payment of the required provincial property transfer tax for the land being transferred. This amount will be based on (c) and will be calculated by the City Solicitor in due course.
- g) Either completion and return of the GST exemption form or payment of the required GST (7% of the total value of Item c).
- h) B.C. Hydro and Telus will require an interim statutory right-of-way for the utilities located within the closure area. As the relocation of these utilities will likely occur after registration of the subdivision plan, an interim statutory right-of-way will be required to protect their utilities. The developer will be responsible for all related costs of this relocation.
- i) The developer must provide proof of payment to B.C. Hydro for the above required works *prior* to Final Approval of subdivision.
- j) The developer must provide proof of payment to Telus for the required relocation *prior* to Final Approval of subdivision.
- h) The granting of the Order in Council by the Minister of Municipal Affairs to the Road Closing Bylaw.

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The Planning and Building Department has received written concurrence to the above-referenced conditions from the applicant.

3.0 Conclusion

It is recommended that Council authorize the introduction of a Road Closing Bylaw to pursue closure and sale of the redundant portion of the unopened Greenwood Street road allowance described in Section 2.0 above.



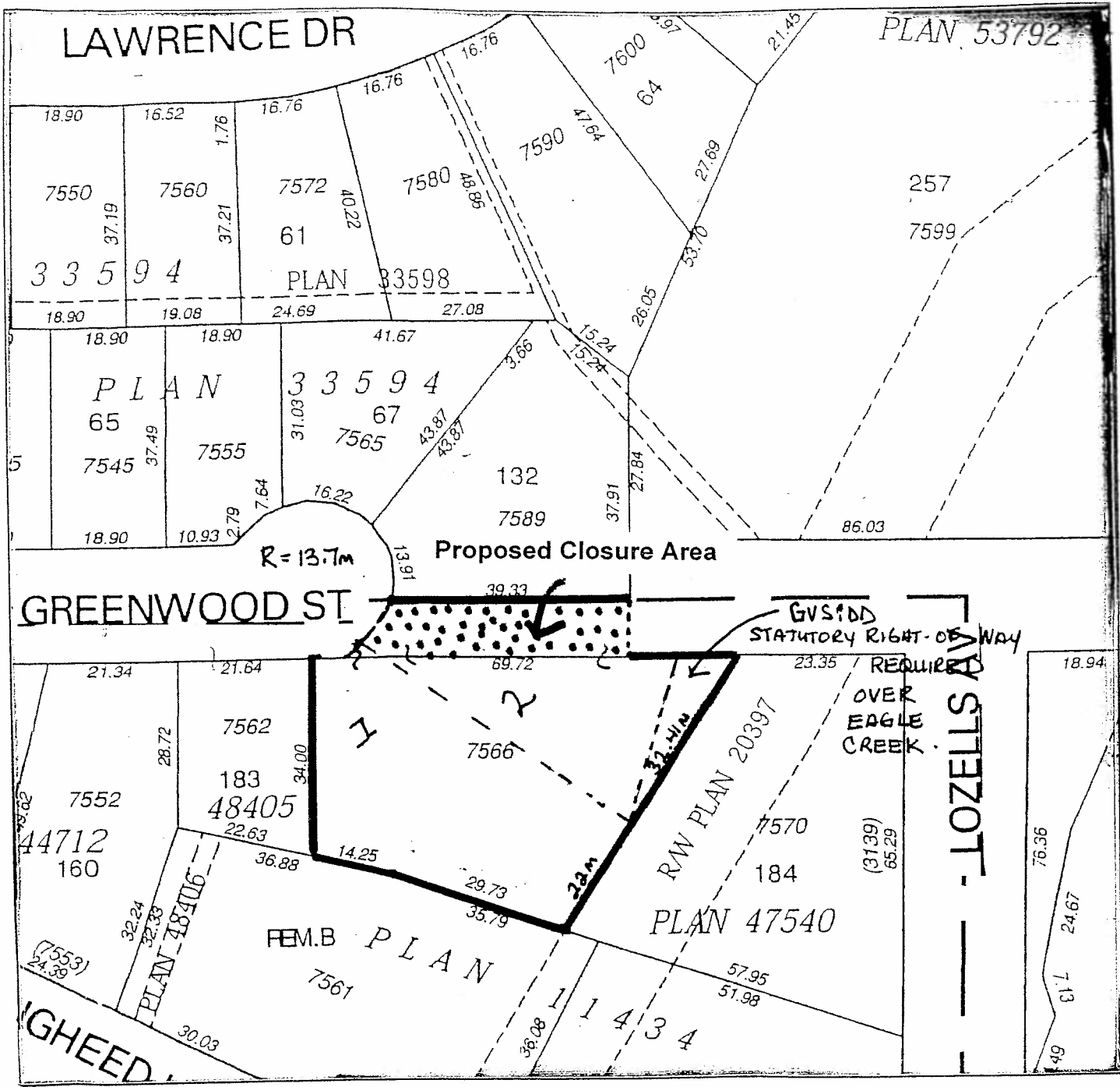
L.S. Belhouse
APPROVING OFFICER



KB:hr
Atts.

cc: City Solicitor
Director Engineering
Director Finance

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Date:
2003 September 23rd



Road Closing Reference # 02-7
 Subdivision Reference # 02-27

Scale:
1:1000

Proposed Closure of a portion of
 Greenwood Street road allowance
 abutting 7566 Greenwood Street

Drawn By:
KAB



Proposed Closure Area

Sketch #1