
TO: CITY MANAGER **DATE:** 2006 August 23

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 49500 20
Reference: **ROD 98-4**
X-Reference: **SUB 99-6**

SUBJECT: **ROAD CLOSURE REFERENCE #98-4**
Closure of Portion of Lane Allowances Adjacent 5080 and 5090 Dover Street and Closure of Arrow Street for Consolidation with 6037 Royal Oak Avenue

PURPOSE: To obtain Council authority to prepare the introduction of a Highway Closure Bylaw and to have Council repeal Highway Exchange Bylaw No.5, 1999 Bylaw No. 10898.

RECOMMENDATIONS:

1. **THAT** Council repeal Bylaw No. 10898 (Burnaby Highway Exchange Bylaw No. 5, 1999).
2. **THAT** Council authorize the introduction of a Highway Closure Bylaw for the closure of a portion of lane allowances adjacent 5080 and 5090 Dover Street and closure of Arrow Street road allowance for consolidation with 6037 Royal Oak Avenue as outlined in this report.
3. **THAT** a copy of this report be forwarded to Mr. Greg Frank, Secretary- Treasurer, Burnaby School District.

REPORT**1.0 BACKGROUND INFORMATION**

At its meeting of 1997 November 24, Council approved a Transportation Concept for the Marlborough School area in conjunction with the Royal Oak Realignment Project. The report, in part, approved in principle, the exchange of land between the Burnaby School District and the City of Burnaby. Subsequently, Council, at its meeting of 1999 February 08, authorized the introduction of Highway Exchange Bylaw for the closure of portions of lane allowances adjacent 5080 and 5090 Dover Street and Arrow Street road allowance for consolidation with 6037 Royal Oak Avenue (Marlborough School). Bylaw No. 10898 (Burnaby Highway Exchange Bylaw No. 5, 1999) was adopted 1999 March 29. A sketch is attached showing the proposed closure areas and land to be transferred to

To: City Manager
From: Director Planning and Building
Re: ROAD CLOSURE REFERENCE #98-4
Closure of Portion of Lane Allowances Adjacent 5080 Dover St. and
Closure of Arrow Street for Consolidation with 6037 Marlborough St.
2006 August 23 Page 2

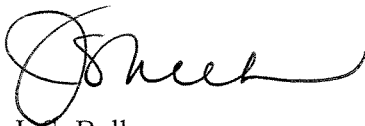
the School District, the creation of proposed Lot 2 to be transferred to the City, and the dedication of road allowances.

2.0 GENERAL DISCUSSION:

The City's Legal Department deposited the legal documentation including the plan of subdivision, reference plan for the road closures and the transfers of property on 2006 April 13. On 2006 April 24, the City's Legal Department was notified by the Registrar of the Land Title Office that the applications were refused for reason of the Community Charter change in 2004 January and the reference plan accompanying the Closure Bylaw did not reflect the Community Charter requirement. The City's Land Surveyor has created a new survey plan pursuant to Section 40 of the Community Charter for the highway closure bylaw plan and plan of subdivision showing the consolidation of properties with 6037 Royal Oak Avenue and the creation of proposed Lot 2 being transferred to the City of Burnaby. The square meters of land areas for the road and lane closure to be transferred to the School District and lot size of proposed Lot 2 being transferred to the City of Burnaby remain the same as the original subdivision and reference plans. We have verified with the School District that the executed copy of the disposal of Real Property certificate signed by the Minister of Education remains.

3.0 CONCLUSION:

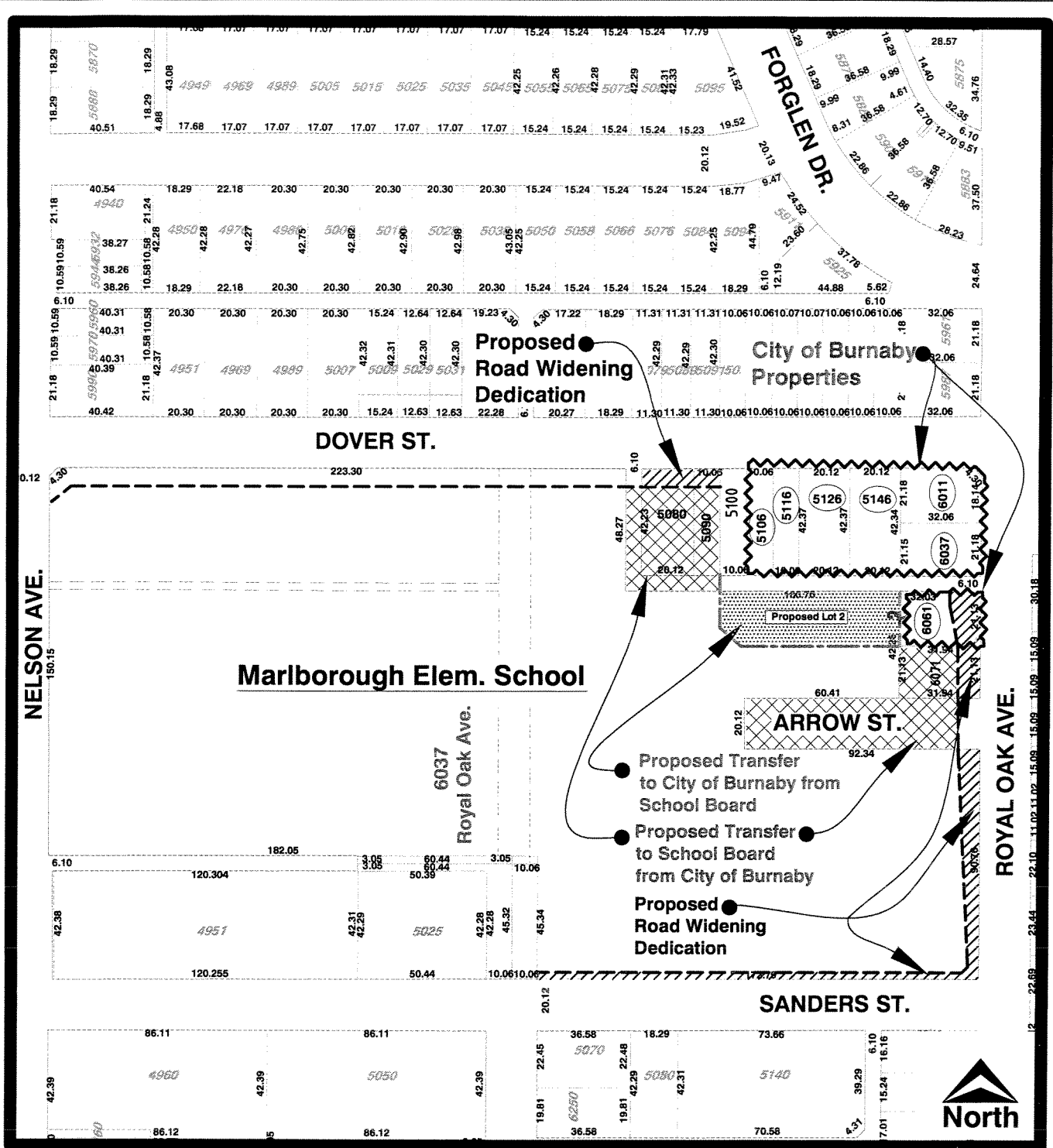
It is recommended that Council repeal Highway Exchange Bylaw No.5, 1999 Bylaw No. 10898 and authorize the introduction of a Highway Closure Bylaw for the closure of a portion of lane allowances adjacent 5080 and 5090 Dover Street and closure of Arrow Street road allowance for consolidation with 6037 Royal Oak Avenue.



J. S. Belhouse
Director Planning and Building

KB:hr
Att.

cc: Director Engineering
City Solicitor



Planning and Building Department

Scale: 1 : 3000

Drawn By: J.P.C.

Date: August 2006

Road Closure Ref.# 98 -- 4
Subdivision Ref.# 99 -- 6
 Royal Oak Abve. -- Dover St.

