



Item.....	ob
Meeting.....	2007 Dec 17

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2007 December 12

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 87000 05
Reference: **ROD #07-6**

SUBJECT: ROAD CLOSURE REFERENCE #07-6
Portion Road Allowance Adjacent 5485 Hardwick Street
X-REFERENCE: SUBDIVISION #06-33

PURPOSE: To obtain Council authority for the closure and sale of a redundant portion of road allowance adjacent 5485 Hardwick Street.

RECOMMENDATION:

1. **THAT** Council authorize the introduction of a Burnaby Highway Closure Bylaw involving the closure and consolidation of approximately 1.28 m (4.2 ft) by 25.14 m (82.48 ft) of redundant road allowance adjacent 5485 Hardwick Street, as shown on the attached Sketch #1.

REPORT

The subject road closure is part of an application for re-subdivision of property zoned to the R3 Residential District which requires a minimum lot width of 15.0 m (49.2 ft.) and a lot area of not less than 557.40 m² (6,000 sq. ft.) for each lot. The subdivision involves properties at 5444, 5454, 5480 and 5508 Laurel Street and 5485 Hardwick Street and provides for the creation of 22 lots in accordance with the R3 Residential District. The subdivision provides the dedication of the balance of Road 'D' and the construction of Roads 'C' and 'D' to a full standard, as indicated on Sketch #1.

As part of the review and processing of the subdivision application, it has been determined that a small portion of road allowance adjacent 5485 Hardwick Street is not required for City road purposes. The subject closure of an area of approximately 1.28 m (4.2 ft.) by 25.14 m (82.48 ft.) will contribute to lot area for proposed Lots 14 and 15 of the subdivision. The Legal Department has determined a value of \$75.00 per sq. ft. for the 346.42 sq. ft. (subject to survey) of closure area. The applicant has agreed to purchase the proposed road closure area at the established value. The Planning and Building Department sent a letter to the applicant stating that approval of the road closure would be contingent upon the following conditions:


- a) Consolidation of the road allowance with the proposed subdivision as shown on the attached Sketch #1.
- b) Payment of compensation to the City in the amount of \$75.00 per sq. ft. (approx. 346.4 sq. ft.) plus GST plus PTT is to be submitted to the Planning Department *prior* to final approval of subdivision. Total area of road closure is to be confirmed by the applicant's surveyor.

To: City Manager
From: Director Planning and Building
Re: ROAD CLOSURE REFERENCE #07-06
X-REFERENCE: SUBDIVISION #06-33
2007 December 12..... Page 2

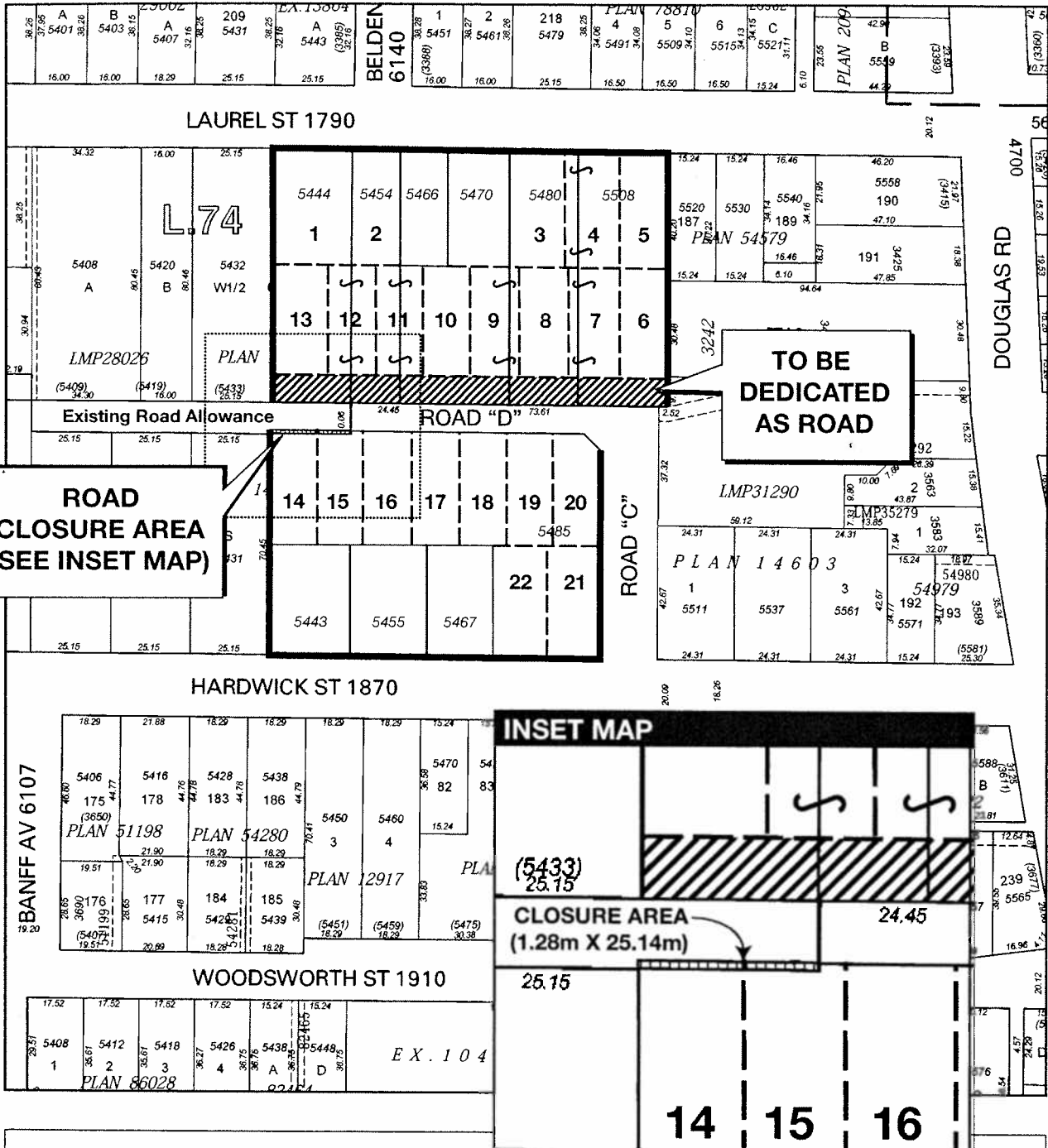
- c) Submission of the necessary Highway Closure Bylaw plans to the Planning Department. Once the registration set of Highway Closure Bylaw plans have been submitted they will be forwarded to the Legal Department for the preparation of the required bylaw.
- d) The necessary property transfer will be prepared by the City Solicitor after the plans mentioned in Item (c) have been received, the Highway Closure Bylaw prepared and given all four readings by Council.
- e) Since the City will arrange for the registration of all items pertaining to the closure and subdivision, all registration costs and document preparation fees must be submitted to the Planning Department *prior* to registration.
- f) The applicant's Solicitor should prepare, and have executed, any extension of mortgage documents required for the closure area and hold the document(s) for concurrent registration.
- g) Payment of the required Provincial Property Transfer Tax for the gross closure areas being transferred.
- h) Completion and return of the *attached* GST exemption form or payment of the required 6% GST (6% of the total land value of the closure area that will be indicated on the Transfer documents).

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

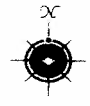
It is proposed that Council authorize the introduction of a Burnaby Highway Closure Bylaw to provide for the closure and consolidation of the subject redundant road right-of-way, as indicated on Sketch #1. With subsequent Council adoption of the Bylaw, the subject portion of road right-of-way would be closed and consolidated with the subject properties.


B. Luksun
Director Planning and Building

LJ:KB:hr
Att.
cc: Director Engineering
City Solicitor
City Clerk



Road Closure Reference #07-06
Subdivision Reference #06-33
 5444, 5454, 5480 and 5508 Laurel Street
 and 5485 Hardwick Street



DATE: 2007 DECEMBER 10
 SCALE: 1:2000
 DRAWN BY: rcn

SKETCH #1