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COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2008 March 11

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** REZ #05-31
X.REF: SUB #05-59

SUBJECT: SUBDIVISION AND SERVICING OF CITY PROPERTY AT 7799 – 18TH STREET

PURPOSE: To obtain Council authority for the provision of the required servicing and creation of two legal lots for future sale as outlined in this report.

RECOMMENDATIONS:

1. **THAT** Council authorize the Director Engineering to prepare the required subdivision and statutory right-of-way legal plans.
2. **THAT** Council authorize the design and construction of the required servicing works, as outlined in this report.
3. **THAT** Council authorize the registration of the required statutory right-of-way and Section 219 Covenant (notification with respect to the noise generated by the Safeway Distribution Centre) on the title of the proposed new lots, as described in this report.
4. **THAT** Council authorize an expenditure not to exceed \$133,500.00 for the servicing of the City-owned property at 7799 – 18th Street as well as \$1,100.00 for the required document preparation and registration of plans and documents to create two legal lots.

REPORT

1.0 BACKGROUND INFORMATION

Council, at its meeting of 2005 July 25, adopted the recommendations in a report for the rezoning of City property at 7799 – 18th Street. The purpose of the proposed rezoning amendment bylaw (Rezoning Reference #05-31) was to accommodate subdivision of the city property into two lots, as shown on the *attached* sketch. The Rezoning established development guidelines for future development (subject to specific amendment rezonings) of the proposed lots for multiple-family residential use based on the CD Comprehensive Development District and the RM3 Multiple Family District. The rezoning application was forwarded to Public Hearing 2005 August 30 and received 2nd

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Reading 2005 September 12. The subdivision of this parcel into two legal lots is the outstanding requirement for the completion of the rezoning.

The subject site comprises a portion of the former Telus site at the corner of Griffiths Drive and 10th Avenue, which the Burnaby School District (with City participation) acquired in 2000, for development of the new Southeast Burnaby Secondary School. The City's participation was a key to the securing of the site because, although the whole site was not required for the school, Telus had indicated its strong desire to sell the entire property at one time. As a result, the City now owns the subject site (7799 – 18th Street), as well as two vacant lots just north of the new school site which are proposed for future residential development (7679 and 7701 – 18th Street).

The purpose of this report is to obtain the required Council authorization to advance the rezoning process by completing the subdivision requirements prior to making the lands available for sale by Public Tender.

2.0 SUBDIVISION REQUIREMENTS

2.1 *Servicing Requirements*

The Director Engineering has conducted an initial review of the site and provided preliminary servicing requirements for the lot. The servicing requirements to be addressed include, but are not necessarily limited to, the design and construction of water service connections to proposed Lot 1 and 2; the design and construction of a sanitary sewer and storm sewer main in a right-of-way north along the west property line of proposed Lot 2 to proposed Lot 1, complete with manholes, service connections and all other necessary appurtenances. The Director Engineering has advised that the cost of servicing is estimated at \$134,600. In addition, the Director Engineering will be requested to provide the legal survey plans including the subdivision and statutory right-of-way plans. The required document preparation and registration costs of approximately \$1,100.00 will be deducted from the appropriate Land Assembly and Development account.

2.2 *Statutory Right-of-Way*

In order to service proposed Lot 1, it is necessary that a statutory right-of-way for Sanitary and Storm Sewer purposes be registered over proposed Lot 2. Council authority is sought for preparation of the required plan and document, their execution on behalf of the City and registration in conjunction with the subdivision plan.

2.3 *Section 219 Restrictive Covenant*

At its meeting of 2005 July 25, Council passed a motion that a Section 219 Covenant be included in the development guidelines for the future development

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of this property to provide notification of the potential noise impact from the Safeway Distribution Centre located directly across the street. Council authorization is sought for the preparation of the required document and registration of the Section 219 covenant in conjunction with the subdivision plan.

3.0 FINANCING AND NEXT STEPS

Sufficient Land Assembly Reserve funds are available and this project can be accommodated within the Miscellaneous Servicing and Development component of the 2008-2012 Provisional Capital Program. It is recommended that Council authorize an expenditure not to exceed \$134,600.00 (\$133,500.00 for servicing and \$1,100.00 for legal costs) for the servicing and subdivision of the City lot at 7799 – 18th Street.

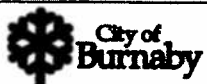
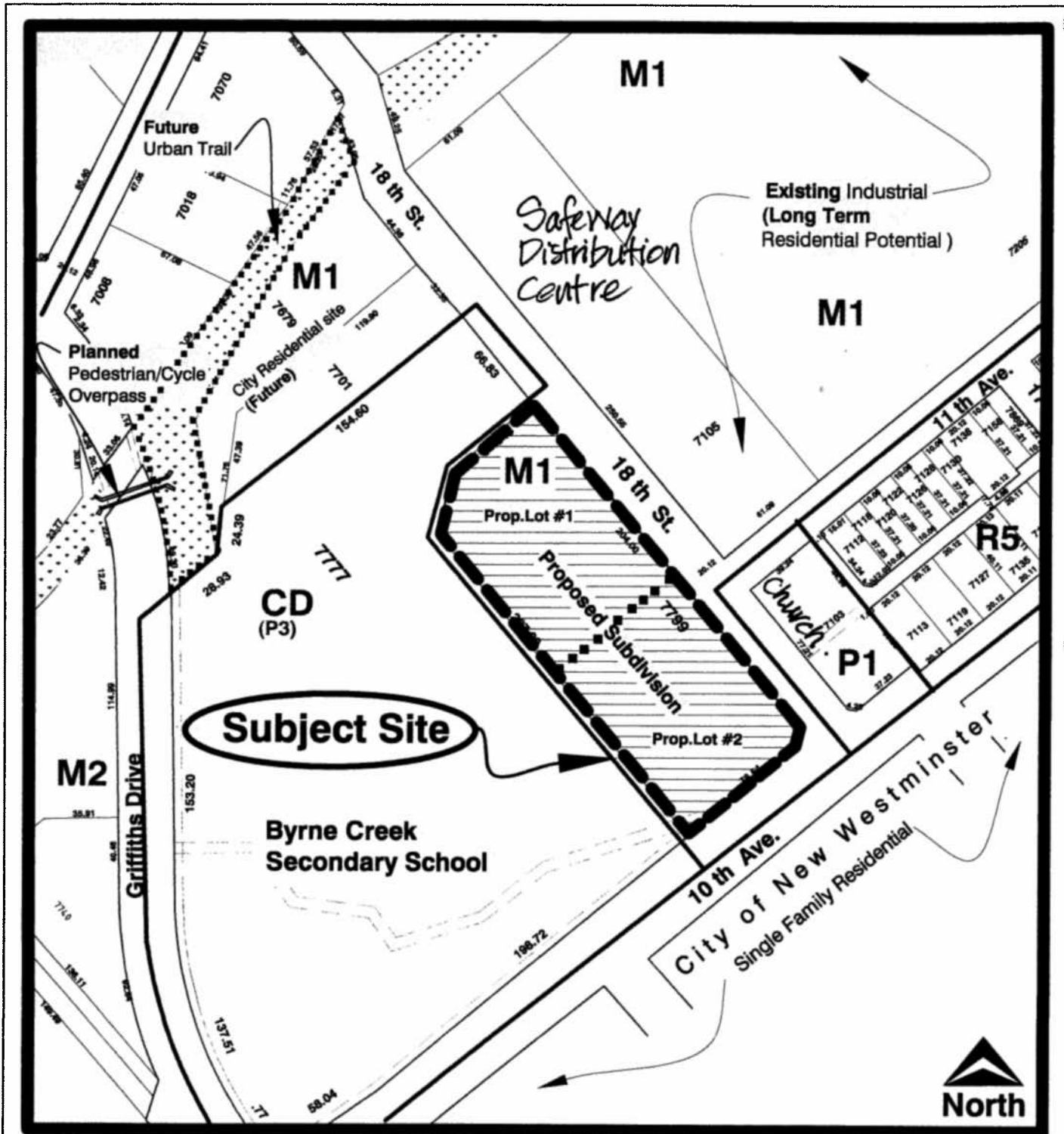
Upon finalization of the rezoning and subdivision, the City Solicitor would prepare a further report seeking Council approval of the sale of these lots through public tender. The funds from the sale of these properties for the designated CD (based on RM3 guidelines) development would be repaid in due course to the Land Assembly and Development reserve.



B. Luksun, Director
PLANNING AND BUILDING

SAM/sla
Attachment

cc: Chief Building Inspector
Director Engineering
Director Engineering, Environmental Services Division
City Solicitor
Director Finance



Planning and Building Department

Scale: 1 = 3000

Drawn By: J.P.C.

Date: July 2005

REZONING REFERENCE # 05 -- 31
7799 -- 18 th Street

Sketch # 1