



Item
Meeting 2010 November 15

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2010 November 10
FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 87000 05
Reference: ROD #10-13
SUBJECT: HIGHWAY CLOSURE BYLAW
6502 MARINE DRIVE
BIG BEND DEVELOPMENT PLAN
PURPOSE: To obtain Council authority to introduce a Highway Closure Bylaw for a portion of unopened road right-of-way on Marine Drive for sale and consolidation with the subject property at 6502 Marine Drive.

RECOMMENDATIONS:

1. **THAT** Council authorize the introduction of a Highway Closure Bylaw for a portion of unopened road right-of-way on Marine Drive for sale and consolidation with the subject property at 6502 Marine Drive, as indicated on the *attached* Sketch #1, and subject to the conditions outlined in Section 3.0 of this report.
2. **THAT** Council authorize the dedication of the City-owned property at 6501 Marine Drive for road purposes.
3. **THAT** the Director Engineering be authorized to prepare the requisite road closure, dedication and subdivision consolidation plans.
4. **THAT** a copy of this report be sent to Mr. and Mrs. Sanghera, 11369 Mader Lane, Delta BC V4C 8H1.

REPORT

1.0 INTRODUCTION

On 2010 August 23, a letter was received from Mr. G.S. Sanghera, owner of 6502 Marine Drive expressing interest in purchasing a portion of the adjacent unopened Marine Drive road right-of-way for consolidation with the subject property (see *attached* Sketch #1). Staff have reviewed the request and have determined that a portion of unopened road right-of-way adjacent the site is redundant to City needs and is available to be sold for consolidation with 6502 Marine Drive.

This report seeks Council authorization for introduction of the necessary road closure bylaw, sale of the subject redundant road right-of-way for consolidation, and road dedication.

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2.0 NEIGHBOURHOOD CONTEXT

The subject portion of the Marine Drive road right-of-way, measuring approximately 929 m² (10,000 sq.ft., subject to detailed survey), is located on the south side of Marine Drive east of Thorne Avenue within the Big Bend Development Plan area (see *attached* Sketch #2). The subject portion of Marine Drive is redundant to City needs as the current and preferred future alignment of Marine Drive is located to the north, and traverses a remnant City lot at 6501 Marine Drive. As part of this application, Council authorization is also sought to dedicate this remnant lot at 6501 Marine Drive for road right-of-way consistent with its current and intended future use.

The property proposed to receive the redundant road right-of-way at 6502 Marine Drive is zoned A2 Small Holdings District. It currently accommodates an older single family dwelling constructed in 1946. It is the intent of the applicant to construct a new single-family dwelling on the subject site conforming to the A2 Small Holdings District. The existing lot allows for development of a new dwelling at the maximum permitted floor area of 590 m² (6,350.9 sq.ft.) under the prevailing A2 Small Holdings District. As such, the additional site area to be obtained through the road closure process does not contribute to the development potential of the lot, but would allow for larger yard setbacks and an improved siting for a new dwelling on the lot.

A survey is required to determine the final road closure area. Therefore, it is recommended that the Director Engineering be authorized to undertake the requisite survey and preparation of the requisite road closure, subdivision consolidation and dedication plans. As part of the subdivision consolidation process, the Director Engineering will also be requested to prepare an estimate for any necessary services to serve this site.

3.0 MARINE DRIVE ROAD RIGHT-OF-WAY

The request to close a portion of the Marine Drive road right-of-way for consolidation with the subject property at 6502 Marine Drive has been reviewed by City departments. The arising requirements for the road closure are incorporated into the conditions listed below. With Council approval for the introduction of a Highway Closure Bylaw, staff will write to the applicant to advise that approval of the road closure is contingent upon satisfaction of the following conditions:

- a) Consolidation of the portion of Marine Drive road right-of-way to be closed (final area to be determined through detailed survey) with the property located at 6502 Marine Drive.
- b) Payment of compensation to the City of Burnaby in the amount of \$8.00 per sq.ft. of land, as determined by the Legal and Lands Department.
- c) The completion of the necessary Subdivision and Road Closure Applications with all fees to be paid by the applicant.
- d) The Engineering Department will prepare the required survey, Highway Closure Bylaw plans and subdivision consolidation plans. The costs related to the preparation of these plans will be reimbursed by the applicant prior to the completion of the sale.

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- e) The Legal Department will prepare the required transfers and legal documents, as well as arrange for the registration of these items with the costs to be paid by the applicant prior to completion of the sale.
- f) The property owners' solicitors are responsible to arrange for any Extension of Mortgage documents which may be required over the closure areas.
- g) Payment of any outstanding taxes.
- h) Payment of a \$100.00 final examination fee.

4.0 CONCLUSION

It is recommended that Council authorize the introduction of a Highway Closure Bylaw to advance the closure, sale and consolidation of the subject portion of redundant road right-of-way, as outlined in this report. Council authorization is also sought to dedicate the City property at 6501 Marine Drive for road purposes.

It is also recommended that a copy of this report be provided to the applicant for information.

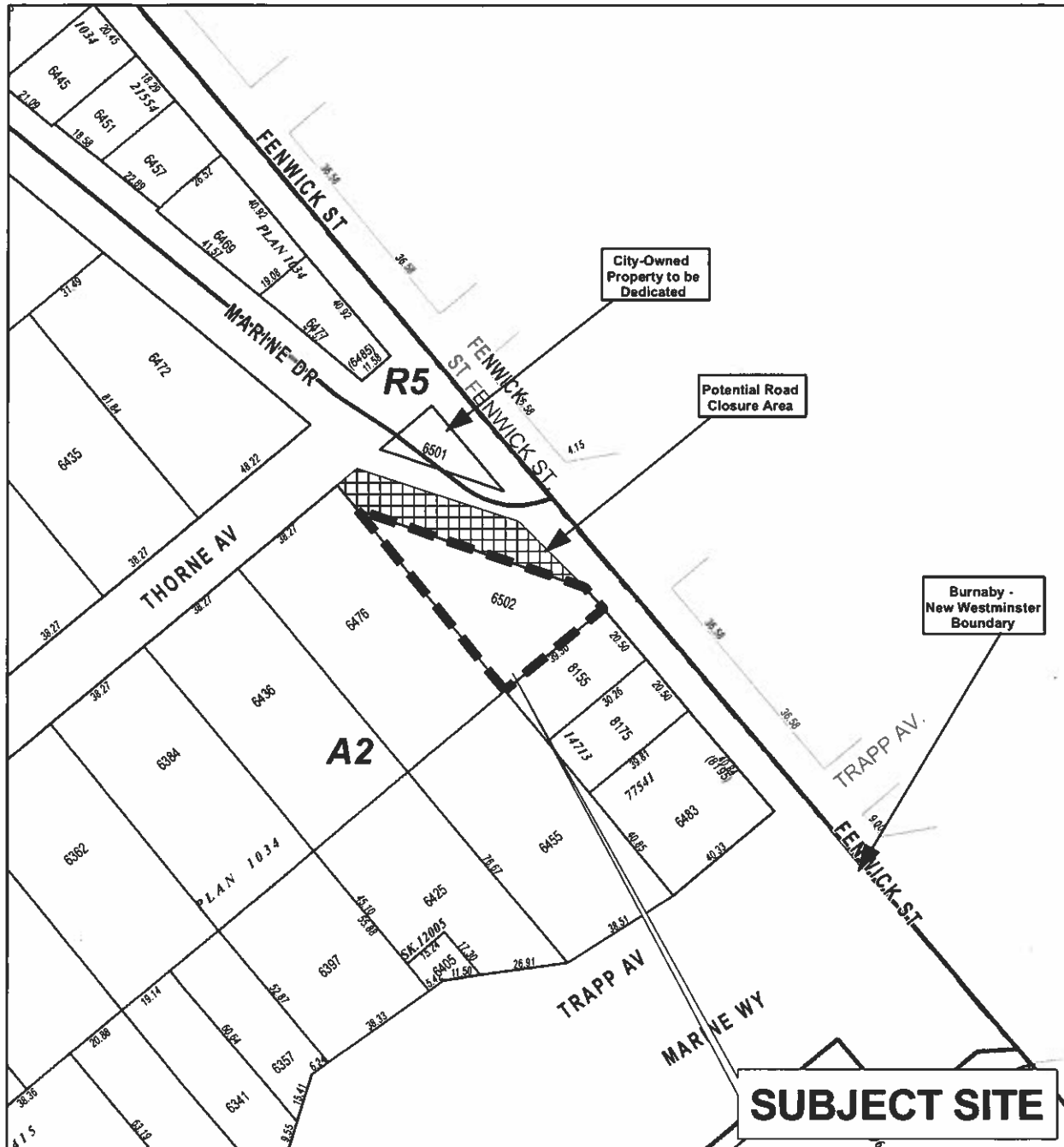





B. Luksun, Director

for PLANNING AND BUILDING

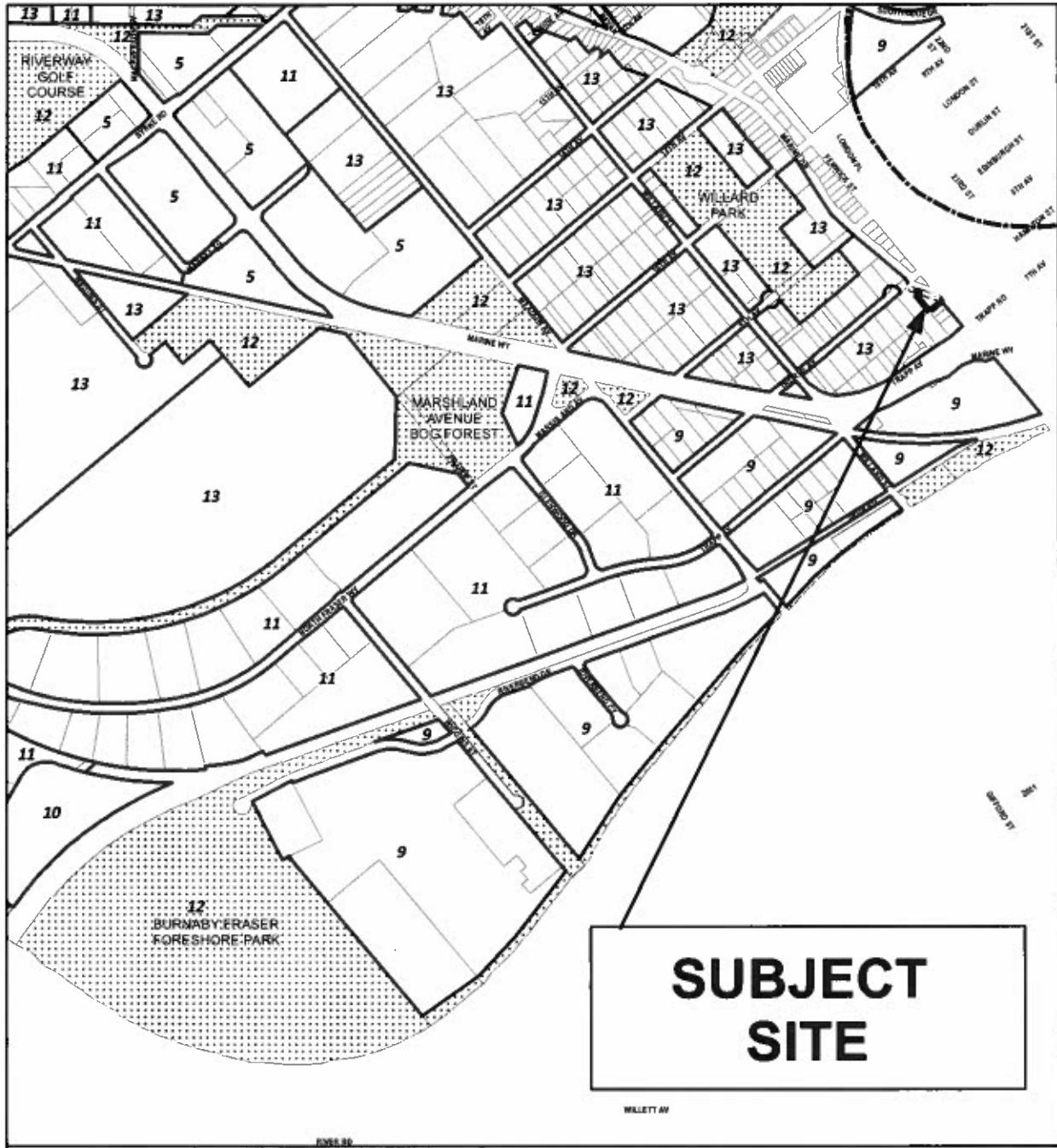
JBS:spf
Attachments

cc: Director Engineering
City Clerk
City Solicitor



	PLANNING & BUILDING DEPARTMENT 
DATE: <p style="text-align: center;">NOV 08 2010</p>	 Subject Site
SCALE: <p style="text-align: center;">1:2,000</p>	
DRAWN BY: <p style="text-align: center;">DJ</p>	

Sketch #1



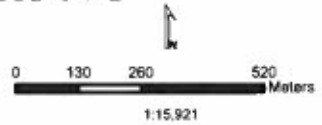
**SUBJECT
SITE**

Big Bend Development Plan



PLANNING & BUILDING DEPARTMENT

- 5 > COMMERCIAL
- 9 > INDUSTRIAL
- 10 > INSTITUTIONAL
- 11 > BUSINESS CENTRE DISTRICTS
- 12 > PARK AND PUBLIC USE
- 13 > AGRICULTURAL



Sketch #2