# City of Richmond

# Report to Committee

| | | | |
|---|---|---|---|
| **To:** | General Purposes Committee | **Date:** | March 8, 2005 |
| **From:** | Christine McGilvray<br>Manager, Lands and Property | **File:** | 06-2275-20-202/Vol 01 |
| **Re:** | **Highway Closure and Removal of Highway Dedication Bylaw 7233<br>Horseshoe Place** | | |

## Staff Recommendation

That Highway Closure and Removal of Highway Dedication Bylaw 7233 be given 1st 2nd and 3rd readings and that staff be given the authority to take all necessary steps as required by the Community Charter to notify utility companies and the public, prior to final approval.

Christine McGilvray
Manager, Lands and Property
(4005)

| FOR ORIGINATING DIVISION USE ONLY | | | | | |
|---|---|---|---|---|---|
| **ROUTED TO:** | **CONCURRENCE** | | **CONCURRENCE OF GENERAL MANAGER** | | |
| Engineering | Y ☑ N ☐ | | | | |
| Law | Y ☑ N ☐ | | | | |
| Development Applications | Y ☑ N ☐ | | | | |
| **REVIEWED BY TAG** | YES ☑ | NO ☐ | **REVIEWED BY CAO** | YES ☑ | NO ☐ |

## Staff Report

### Origin

London Drugs, owners of 12831 Horseshoe Place, has made a subdivision application to Urban Development staff to realign an existing cul-de-sac road servicing its site.

### Findings Of Fact

The existing cul-de-sac road accessing 12831 Horseshoe Place partially bisects the site, and creates internal traffic flow and security problems for the owner of the land (London Drugs) - see Attachment 1. The owner wishes to improve this situation, and Urban Development staff have processed and supported the owner's subdivision application (SD 03-248596) to change the existing road alignment.

Under the terms of the application, the applicant will dedicate and construct a new road of equal area in exchange for the City's road, which the City will close and remove therefrom the highway designation. The City's old road allowance will be transferred to the applicant and consolidated into the applicant's site.

Approval of Highway Closure and Removal of Highway Dedication Bylaw 7233 (Attachment 2) which incorporates authority to transfer the lands to the owner (London Drugs Ltd.) will effect this transaction. Prior to final approval of the Bylaw, owners of existing utilities within the road (BC Hydro, Telus etc.) are to be notified according to the requirements of the Community Charter. The City will require a right of way for public access over the road allowance after its closure, which will be discharged upon the new road being completed to the City's satisfaction. The City will also hold a letter of credit equal to the value of the new road construction, during the period of its construction.

A simplified line drawing of the proposed closure, disposition and new road dedication is attached to this report for information (Attachment 1).

Highway Closure and Removal of Highway Dedication Bylaw 7233 is attached for forwarding to Council (Attachment 2).

### Analysis

To close a road and remove the previous dedication of the road the City must:

(1) enact a Highway Closure Bylaw following public input and delivery of notice of the intention to close the road to operators of utilities;

(2) enact a Removal of Highway Dedication Bylaw following public input.

Lands that were formerly dedicated as road can then be disposed of to the applicant by the City advertising in the local media as required under the Community Charter. The new road will be created by the deposit of the applicant's subdivison plan.

Utilities in the road that is to be closed will be dealt with in the following manner, per Engineering and Urban staff requirements:

| | |
|---|---|
| water line: | to become private |
| storm sewer: | to become private |
| sanitary sewer: | to become private |
| private utilities: | to be covered by rights of way |

**Financial Impact**

None. This transaction is being carried out at the request of the developer who will pay all costs related to surveys, registration, administration fees and any applicable taxes, and the physical relocation/reconstruction of the road.

**Conclusion**

It is recommended that Bylaw 7233 be forwarded to Council and read three times. Before final adoption, the holders of utilities within the road will be advised; the highway closure, highway dedication and the disposal of the property will be advertised, following which the public will be afforded the opportunity to be heard prior to Council's consideration of the 4th reading of the bylaw, the land disposition (with temporary right of way for public access in place), and the acquisition of new road.

Christine McGilvray
Manager, Lands and Property
(4005)

ATTACHMENT !

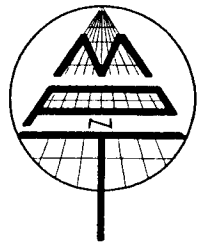
R-04-12357-SKETCH

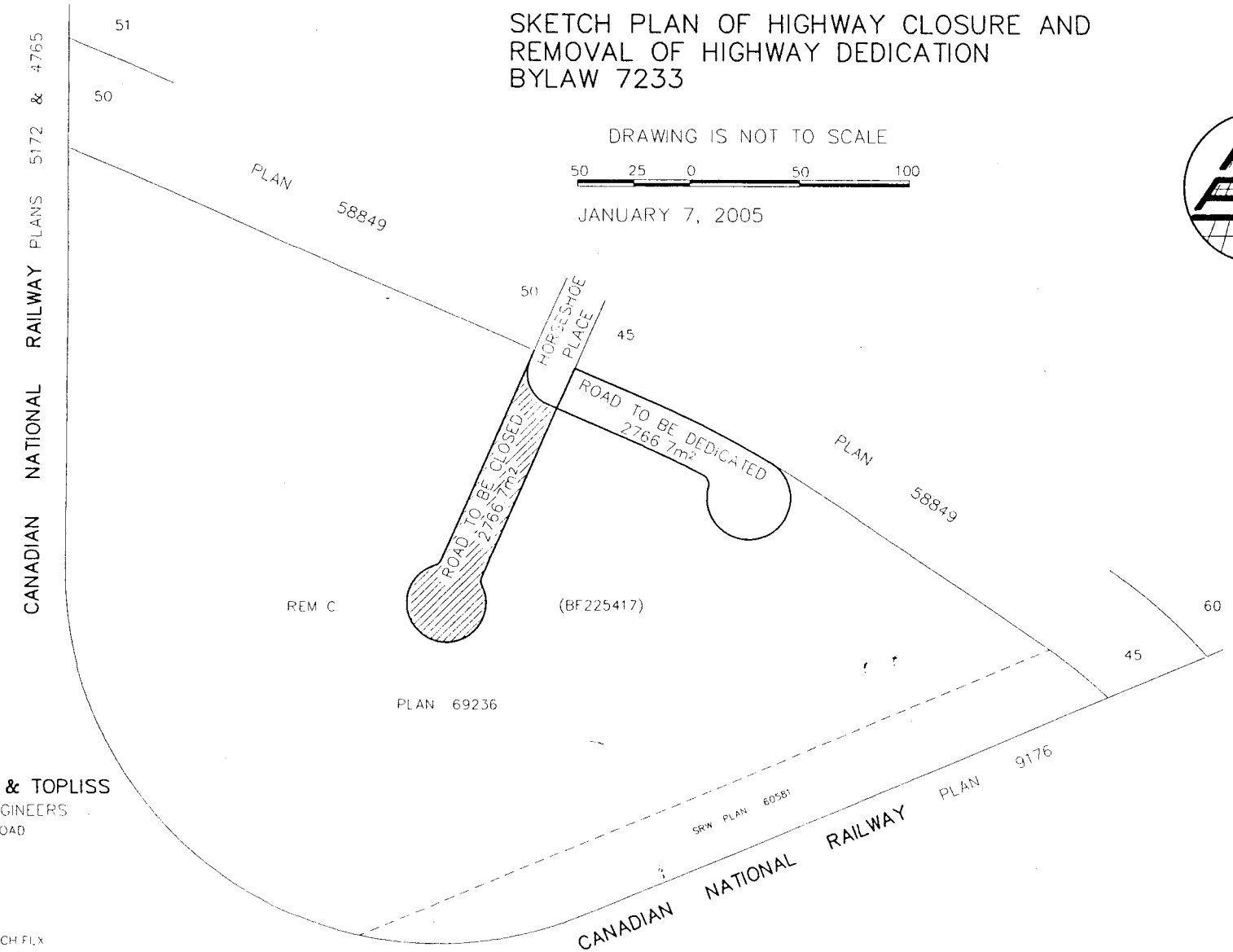
# SKETCH PLAN OF HIGHWAY CLOSURE AND REMOVAL OF HIGHWAY DEDICATION BYLAW 7233

DRAWING IS NOT TO SCALE

50 25 0 50 100

JANUARY 7, 2005







MATSON PECK & TOPLISS
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V6Y 3T8
PH: 604-270-9331
FAX: 604-270-4137


CADFILE: 12357-SKETCH.FLX

R-04-12357-SKETCH

ATTACHMENT 2

City of Richmond

**Bylaw 7233**

# Horseshoe Place Highway Closure and Removal of Highway Dedication Bylaw 7233

The Council of the City of Richmond enacts as follows:

1. The land described as Parcel "A" on the Reference Plan prepared by Hans J. Troelsen, B.C.L.S. dated September 10, 2004, attached as Schedule "A", shall be stopped up and closed to traffic, cease to be a public highway and the highway dedication shall be removed.

2. Parcel "A" shall be disposed of to London Drugs Limited or its designate, in exchange for land shown dedicated as "Road" on subdivision plan prepared by Hans J. Troelsen, B.C.L.S. dated September 10, 2004, attached as Schedule B.

3. This Bylaw is cited as **"Highway Closure And Removal Of Highway Dedication Bylaw 7233".**

| | |
|---|---|
| FIRST READING | _____ |
| SECOND READING | _____ |
| THIRD READING | _____ |
| PUBLIC NOTICE GIVEN | _____ |
| ADOPTED | _____ |

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

_____ MAYOR

_____ CITY CLERK

1380305

SCHEDULE "A"

# REFERENCE PLAN TO ACCOMPANY THE CITY OF RICHMOND ROAD CLOSING AND REMOVAL OF ROAD DEDICATION BYLAW NO. _ _ _ _ _ OF A PORTION OF ROAD DEDICATED BY PLAN 58849 SECTION 12 BLOCK 3 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT

PURSUANT TO SECTION 120 LAND TITLE ACT AND SECTION 40, COMMUNITY CHARTER

B.C.G.S. 92G .015

R-04-12357-1-REF

## PLAN BCP

REF. No. _____

DEPOSITED IN THE LAND TITLE OFFICE
AT NEW WESTMINSTER, B.C.
THIS ___ DAY OF _____ 20__

_____
DEPUTY REGISTRAR

THIS PLAN LIES WITHIN THE
GREATER VANCOUVER REGIONAL DISTRICT

OFFICER SIGNATURE(S)

EXECUTION DATE
Y M D

TRANSFEROR(S) SIGNATURE(S)

CITY OF RICHMOND
6911 NO. 3 ROAD
RICHMOND, B.C. V6Y 2C1
604-276-4000

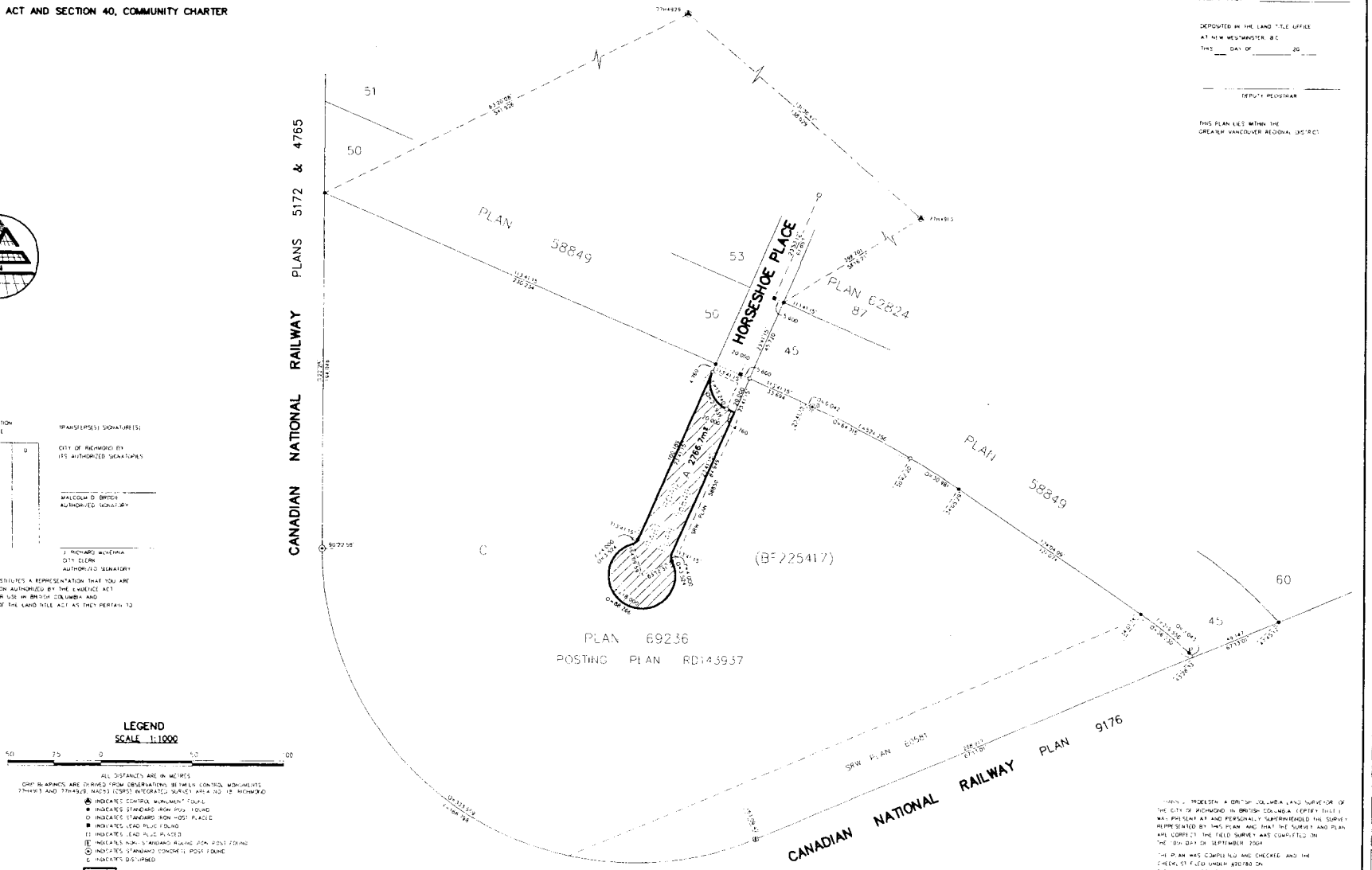
CITY OF RICHMOND BY ITS AUTHORIZED SIGNATORIES

MALCOLM D. BRITCH
AUTHORIZED SIGNATORY

A.D. TO THE SIGNATURE OF
J. RICHARD MCKENNA

J. RICHARD MCKENNA
CITY CLERK
AUTHORIZED SIGNATORY

OFFICER CERTIFICATION: YOUR SIGNATURE CONSTITUTES A REPRESENTATION THAT YOU ARE A SOLICITOR, NOTARY PUBLIC OR OTHER PERSON AUTHORIZED BY THE EVIDENCE ACT, R.S.B.C. 1979, C. 116, TO TAKE AFFIDAVITS FOR USE IN BRITISH COLUMBIA AND CERTIFIES THE MATTERS SET OUT IN PART 5 OF THE LAND TITLE ACT AS THEY PERTAIN TO THE EXECUTION OF THIS INSTRUMENT.




## LEGEND

SCALE 1:1000

50 25 0 50 100

ALL DISTANCES ARE IN METRES

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN CONTROL MONUMENTS 77H4913 AND 77H4929, NAD83 (CSRS) INTEGRATED SURVEY AREA NO. 13 RICHMOND

- ⊕ INDICATES CONTROL MONUMENT FOUND
- ● INDICATES STANDARD IRON POST FOUND
- ○ INDICATES STANDARD IRON POST PLACED
- ■ INDICATES LEAD PLUG FOUND
- □ INDICATES LEAD PLUG PLACED
- (T) INDICATES NON-STANDARD ROUND IRON POST FOUND
- Ⓢ INDICATES STANDARD CONCRETE POST FOUND
- C INDICATES DISTURBED
- INDICATES PORTION OF ROAD TO BE CLOSED

THIS PLAN SHOWS HORIZONTAL GROUND LEVEL DISTANCES EXCEPT WHERE OTHERWISE NOTED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND LEVEL DISTANCES BY COMBINED FACTOR OF 0.9996.

WITNESS OR OFFSET POSTS ARE ON PROPERTY LINE PRODUCTION UNLESS NOTED OTHERWISE.


MATSON PECK & TOPLISS
SURVEYORS & ENGINEERS
#210 - 5171 COOK ROAD
RICHMOND, B.C.
V6V 3T6
PH: 604-270-9331
FAX: 604-270-4137


CADFILE 12357-1-REF.FLX

R-04-12357-1-REF

I, JOHN J. TROELSEN, A BRITISH COLUMBIA LAND SURVEYOR OF THE CITY OF RICHMOND IN BRITISH COLUMBIA CERTIFY THAT I WAS PRESENT AT AND PERSONALLY SUPERINTENDED THE SURVEY REPRESENTED BY THIS PLAN AND THAT THE SURVEY AND PLAN ARE CORRECT. THE FIELD SURVEY WAS COMPLETED ON THE 20th DAY OF SEPTEMBER 2004.

THE PLAN WAS COMPLETED AND CHECKED AND THE CHECK STAMP ACCEPTED UNDER #307780 ON THE 5th DAY OF SEPTEMBER 2004.

_____ S.L.S.

SCHEDULE "B"

# SUBDIVISION PLAN OF PART OF SECTION 12 BLOCK 3 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT

B.C.G.S. 92G .015

LANDS SUBDIVIDED

PARCEL A BYLAW REFERENCE PLAN BCP_ _ _ _ BEING PART OF ROAD DEDICATED ON PLAN 58849 SECTION 12 BLOCK 3 NORTH RANGE 6 WEST N.W.D.

LOT C (BF225417) SECTION 12 BLOCK 3 NORTH RANGE 6 WEST N.W.D. PLAN 69238

R-04-12357-1-SUB

## PLAN BCP

REF. No. _____

DEPOSITED IN THE LAND TITLE OFFICE AT NEW WESTMINSTER, B.C.
THIS ___ DAY OF _____ 20__

_____
DEPUTY REGISTRAR

APPROVED UNDER THE LAND TITLE ACT
THIS ___ DAY OF _____ 20__

_____
APPROVING OFFICER
CITY OF RICHMOND

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT

LONDON DRUGS LIMITED
(INCORPORATION NO. 205200)

AUTHORIZED SIGNATORY

AUTHORIZED SIGNATORY

WITNESS AS TO BOTH SIGNATURES

OCCUPATION OF WITNESS

ADDRESS OF WITNESS

ROYAL BANK OF CANADA

AUTHORIZED SIGNATORY

AUTHORIZED SIGNATORY

WITNESS AS TO BOTH SIGNATURES

OCCUPATION OF WITNESS

ADDRESS OF WITNESS

OFFICER SIGNATURE(S)

EXECUTION DATE

| Y | M | D |
|---|---|---|
| | | |

CITY OF RICHMOND
6911 NO. 3 ROAD
RICHMOND, B.C. V6Y 2C1
604-276-4000

AS TO THE SIGNATURE OF
J. RICHARD MCKENNA

TRANSFEROR(S) SIGNATURE(S)

CITY OF RICHMOND BY ITS AUTHORIZED SIGNATORIES

MALCOLM D. BRODIE
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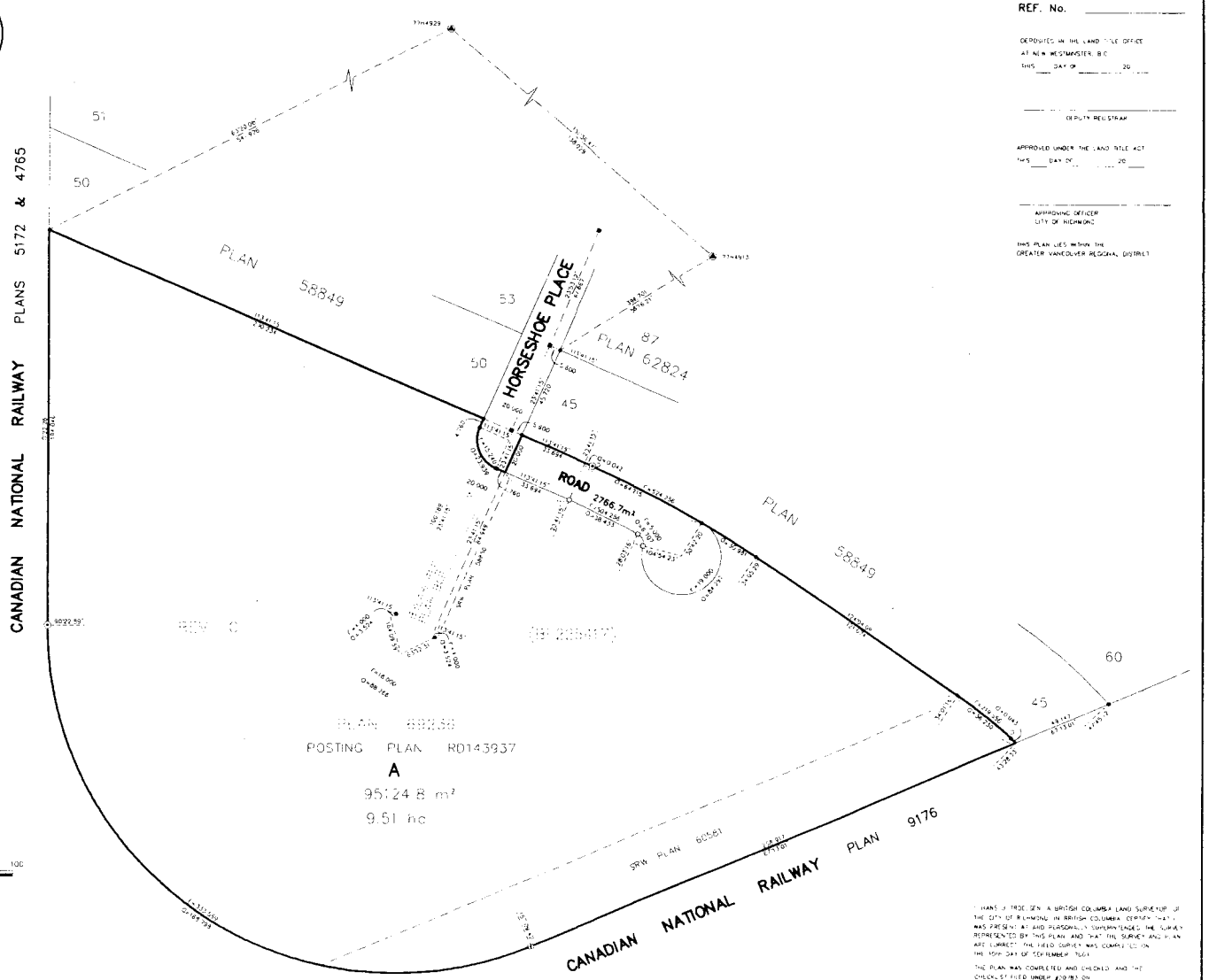


## LEGEND

SCALE 1:1000

50 25 0 50 100

ALL DISTANCES ARE IN METRES.

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN CONTROL MONUMENTS 77m4913 AND 77m4929 (NAD83 (CSRS)) INTEGRATED SURVEY AREA NO. 18, RICHMOND

- ⊕ INDICATES CONTROL MONUMENT FOUND
- ● INDICATES STANDARD IRON POST FOUND
- ■ INDICATES LEAD PLUG FOUND
- ⁚ INDICATES LEAD PLUG PLACED
- INDICATES NON-STANDARD ROUND IRON POST FOUND
- INDICATES STANDARD CONCRETE POST FOUND
- ○ INDICATES DISTURBED

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES EXCEPT WHERE OTHERWISE NOTED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY COMBINED FACTOR 0.9998046.

WITNESS OR OFFSET POSTS ARE ON PROPERTY LINE PRODUCTION UNLESS NOTED OTHERWISE.

**AREA OF ROAD DEDICATED ON THIS PLAN IS 2766.7 m²**


**MATSON PECK & TOPLISS**
**SURVEYORS & ENGINEERS**
#213 - 8171 COOK ROAD
RICHMOND, B.C.
V6Y 3T6
PH. 604-270-9331
FAX 604-270-4137


I, HANS J. TROJESEN, A BRITISH COLUMBIA LAND SURVEYOR OF THE CITY OF RICHMOND, IN BRITISH COLUMBIA, CERTIFY THAT I WAS PRESENT AT AND PERSONALLY SUPERINTENDED THE SURVEY REPRESENTED BY THIS PLAN AND THAT THE SURVEY AND PLAN ARE CORRECT. THE FIELD SURVEY WAS COMPLETED ON THE 10TH DAY OF SEPTEMBER, 2004.

THE PLAN WAS COMPLETED AND CHECKED AND THE CHECKLIST FILED UNDER #209183 ON THE 10TH DAY OF SEPTEMBER 2004.

_____ B.C.L.S.

R-04-12357-1-SUB