



City of Richmond

Report to Committee

To: General Purposes Committee

From: Christine McGilvray
Manager, Lands and Property

Re: Highway Closure and Removal of Highway Dedication Bylaw 7233
Horseshoe Place

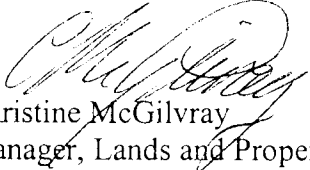
To General Purposes May 16, 2004


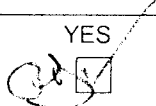
Date: March 8, 2005

File: 13-8060-20-7233

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 <input checked="" type="checkbox"/> N <input type="checkbox"/>				
Law	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>				
Development Applications.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>				
REVIEWED BY TAG	YES DW <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	REVIEWED BY CAO	YES  <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

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 subdivision plan.

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

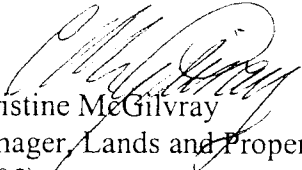
water line:	to become private
storm sewer:	to become private
sanitary sewer:	to become private
private utilities:	to be covered by rights of way

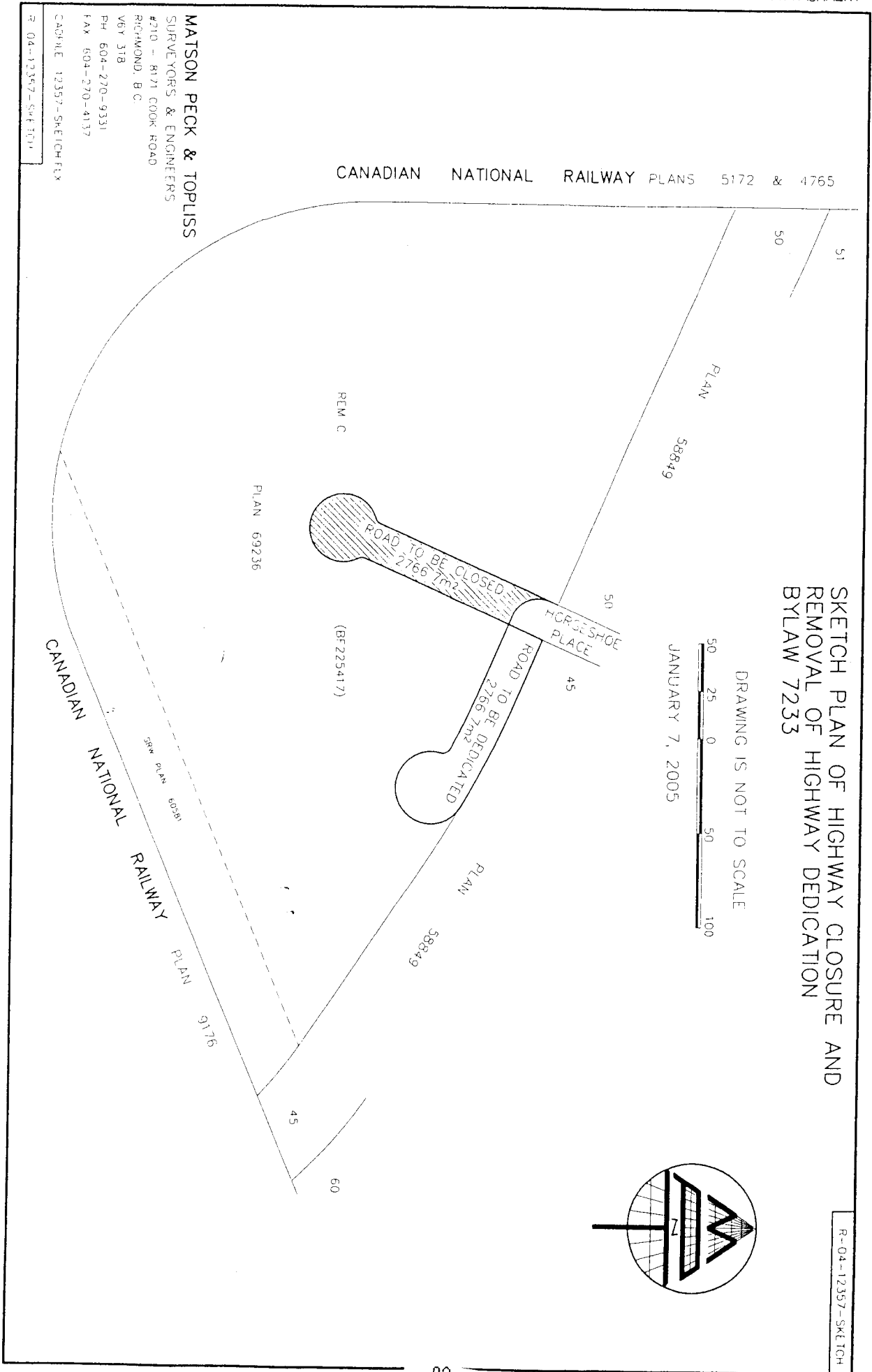
Financial Impact

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)





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

MAYOR

CITY CLERK

CITY OF RICHMOND
APPROVED for content by originating dept.
<i>[Signature]</i>
APPROVED for legality by Solicitor
<i>[Signature]</i>

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

C.G.S. § 92C. 015

THEY ARE ALL MINE
COURTESY OF THE DISTRICT



