



City of Richmond

Report to Committee

To: General Purposes Committee

To General Purposes - Aug 18, 2003
Date: August 6, 2003

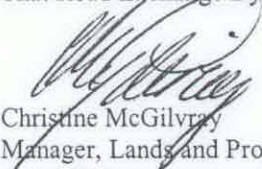
From: Christine McGilvray
Manager, Lands and Property

File: 8060-20-7463

Re: Road Exchange Bylaw 7463 to Facilitate a Road Exchange at 4020 No. 3 Road (S.E. Corner of Cambie and No. 3 Road)

Staff Recommendation

That Road Exchange Bylaw 7463 be introduced and given first, second and third readings.


Christine McGilvray
Manager, Lands and Property
(loc. 4005)

Att.

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"/>
Transportation	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>



Staff Report

Origin

During negotiations between TransLink and various property owners on No. 3 Road for lands required to construct the 98-B line, a specific acquisition was required from 4020 No. 3 Road. A subsequent change in road design resulted in errors in the acquisition process, which now require correction.

Findings Of Fact

The subject property is located on the south-east corner of the No. 3 Road/Cambie Road intersection and is owned by Robric Projects Ltd. It has C-6 commercial zoning, and is improved with a strip mall and parking.

Unable to complete negotiations for road widening to accommodate the 98-B line, TransLink negotiators expropriated the property required for the project. However, at the same time the expropriation was proceeding, the design of the road was amended with all parties (City, TransLink and the property owner) agreeing to such amendment. The project was subsequently built to the agreed upon amended design. This resulted, after the expropriation was completed, in the retaining wall that was to define the west property line being built in a different location to the actual property line defined by the expropriation, but in accordance with the new design agreed upon by all parties.

The City has now been approached by TransLink with a proposal to execute a road exchange to re-define the west property line, so that it encompasses the retaining wall as it should have been, according to the amended design. The City will also take this opportunity to "tidy up" some earlier road dedications taken from the north end of this property (Cambie Road frontage), which still show as titled parcels. These can be dedicated as "road" on the reference plan that will accomplish the road exchange.

Analysis

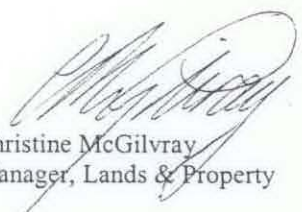
The areas to be exchanged are unequal. The City will be transferring approximately 355 square feet back to private ownership, and receiving approximately 8.39 square feet in return. However, this will achieve the intended west property line location that was designed and approved by all parties, and would have been accomplished if the expropriation had not already been underway when the design was changed.

Financial Impact

None. All costs for the road exchange surveys and documentation processing and registration, will be borne by TransLink..

Conclusion

In order to correct the situation of the retaining wall following the intended property line, and now encroaching onto No. 3 Road allowance, the proposed road exchange bylaw requires approval and the appropriate readings.



Christine McGilvray
Manager, Lands & Property

(loc. 4005)



**A Bylaw to Authorize the Exchange of Certain Portions of a
Road for Other Lands in Section 33 Block 5 North Range 6
New Westminster District**

The Council of the City of Richmond enacts as follows:

1. Pursuant to the Local Government Act, being Chapter 323 of the Revised Statutes of British Columbia 1996, as amended, the Council of the City of Richmond does grant and dispose to Robric Projects Ltd. (Incorporation No. 332396) or nominee:

All and singular that certain parcel or tract of land in the City of Richmond contained in Section 33 Block 5 North Range 6 West dedicated as "road" on Plan LMP46096 and being more particularly described as Parcel "A" and Parcel "B" as shown on Reference Plan to Accompany Bylaw 7463 prepared by Gary Sandvick B.C.L.S. and completed on the 8th day of January, 2003 a paper print of which is attached hereto.

2. The Mayor and Clerk are hereby authorized to execute a Form of Transfer to have effect as a Crown Grant disposing, conveying and granting the said Parcel "A" and Parcel "B" unto Robric Projects Ltd. (Incorporation No. 332396) or its nominee, by affixing the seal of the City thereto and attesting to the fact by signing their names.
3. The said Parcel "A" and Parcel "B" described in Section 1 of this Bylaw shall be stopped up and closed to traffic.
4. It shall be lawful, pursuant to the said Chapter 323 of the Revised Statutes of British Columbia, 1996, for Robric Projects Ltd. (Incorporation No. 332396) or its nominee, to enter into a Form of Transfer or file a subdivision plan for the purpose of disposing, conveying and granting to Her Majesty the Queen in Right of the Province of British Columbia, in exchange for the said Parcel "A" and Parcel "B" the following lands:

Parcel "C" of (PID: 004-252-110) Part of Lot 97 Except: Firstly: Parcel E (Bylaw Plan 80333) and Secondly: Part Road on Plan LMP46096, Section 33 Block 5 North Range 6 West New Westminster District Plan 57713 as shown on the Reference Plan to Accompany Bylaw No. 7463 prepared by Gary Sundvick, B.C.L.S. and completed on the 8th day of January, 2003 a paper print of which is attached hereto, such land being necessary for the purpose of establishing a roadway within the City of Richmond.

5. This Bylaw is cited as “**Road Exchange Bylaw 7463**”.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

MAYOR

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

