



City of Richmond

Report to Committee
Closed

To: General Purposes Committee
From: Andrew Nazareth
General Manager, Business & Financial Services

Date: October 27, 2009
File: 12-8060-20-8544/Vol 01
06-2290-20-109-004/Vol 01

Re: Road Closure and Removal of Road Dedication Bylaw 8544 – Portion of 5th Avenue at Steveston Highway

Staff Recommendation

That the following recommendations be forwarded to open Council for consideration:

- the Road Closure and Removal of Road Dedication Bylaw 8544 be introduced and given 1st, 2nd and 3rd readings;
- the required notice of road closure and the intent to dispose of it be advertised prior to final adoption;
- staff be authorized to file a certifying statement executed by the Corporate Officer at Land Title Office cancelling the right of resumption pursuant to the Resumption of Highways Regulation; and
- staff be authorized to take all necessary steps to complete this matter and the Manager, Real Estate Services be authorized to execute all required documentation.

Andrew Nazareth
General Manager, Business & Financial Services
(604-276-4095)
Att.

FOR ORIGINATING DEPARTMENT 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"/>	
Clerks	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Building Approvals	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Development Applications	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Transportation	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
REVIEWED BY TAG	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	REVIEWED BY CAO YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

Staff Report

Statutory Closed Meeting Criteria:

This report meets the following statutory closed meeting criteria:

90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality

Recommendation on Disclosure

It is recommended that this recommendation be forwarded to an open Council meeting for consideration.

Origin

At its meeting on February 23, 2009, Council authorized:

"That the portion of 5th Avenue at Steveston Highway remain open until:

- (a) real estate market conditions improve at which time title can be raised and the lands marketed as two single-family lots; ..."*

As it is staff's intent to market the property for sale in the new year along with other authorized Steveston Road ends, a road closure and removal of road dedication bylaw is required.

Analysis

In order to complete the road closure, Council is required to pass a Road Closure and Removal of Road Dedication Bylaw. Accordingly, Bylaw 8544 (Attachment 1) is presented for consideration at an open Council meeting for 1st, 2nd and 3rd readings.

Prior to closure and potential transfer upon sale, concurrence of any utilities in the affected area is required. Engineering staff has confirmed that no utilities will be affected by the proposed road closure.

Upon raising title to the road closure area, the road will be subdivided into two building lots. As a requirement of subdivision, the lots will be serviced prior to sale. The combined estimated cost to subdivide and service is \$71,000, which will be funded through the proceeds of the sale.

Staff have contacted the owners of adjacent properties advising them of the City's intent to close and sell the road. The current owner of 11000 5th Avenue called to register their complaint against the closure and sale: their house faces the road end, has a 5th Avenue address and is accessed from 5th Avenue (Attachment 2). The current owner purchased the property earlier this year. Although staff, under Council direction and prior to the sale, advised the realtor and the

previous owner both verbally and in writing of the City's intent to close and sell the road, the information was not passed on to the purchaser.

Staff have confirmed that notwithstanding the orientation of 11000 5th Avenue, it is set back far enough from the property line that new construction on the road end will not render it non-compliant with any building codes or other regulatory requirements. The only issue, therefore, is access. Transportation has confirmed that access would be permitted off Steveston Highway, although lane access is preferred. Therefore, depending upon the terms of the sale, if the lots are sold individually, the City will provide 11000 5th Avenue access off Steveston Highway and on-site driveway/walkway at an estimated cost of \$15,000 (funded through the proceeds of the sale). If both lots are purchased by a builder, construction of the lane up to 11000 5th Avenue will be required at the builder's cost.

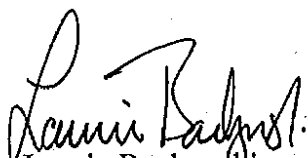
Staff intend to market the two building lots created from the road closure in the new year along with other Steveston road ends that have been authorized for sale. Details of any proposed transactions, including restoration costs (i.e., access/driveway) noted above will be brought forward for Council consideration.

Financial Impact

All costs associated with closing the road and creating two building lots, which include subdivision costs and servicing costs (\$71,000), surveys and other related costs (\$6,000) will be funded from the proceeds of the sale with the remainder being deposited in the Steveston Road End Fund.

Conclusion

The closure and removal of road dedication of that portion of 5th Avenue at Steveston Highway is required in order to subdivide and market two building lots as authorized by Council. Bylaw 8544 provides the necessary authority to close and remove the road dedication from the subject area.



Laurie Bachynski
Manager, Property Services
(604-276-4005)

LB:lb



City of Richmond

Bylaw 8544

**Road Closure and Removal of Road Dedication
(Portion of 5th Avenue at Steveston Highway) Bylaw**

The Council of the City of Richmond enacts as follows:

1. The lands legally described as Portion of Road Dedicated on Plan 249 Section 3 Block 3 North Range 7 West and Section 34 Block 4 North Range 7 West New Westminster District (shown boldly outlined and hatched on the Reference Plan prepared by Matson Peck & Topliss, British Columbia Land Surveyors attached as Schedule A) shall be stopped up and closed to traffic, cease to be a public road and the road dedication shall be removed.
2. This Bylaw is cited as "Road Closure And Removal of Road Dedication Bylaw 8544".

FIRST READING

SECOND READING

THIRD READING

DULY ADVERTISED

ADOPTED

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

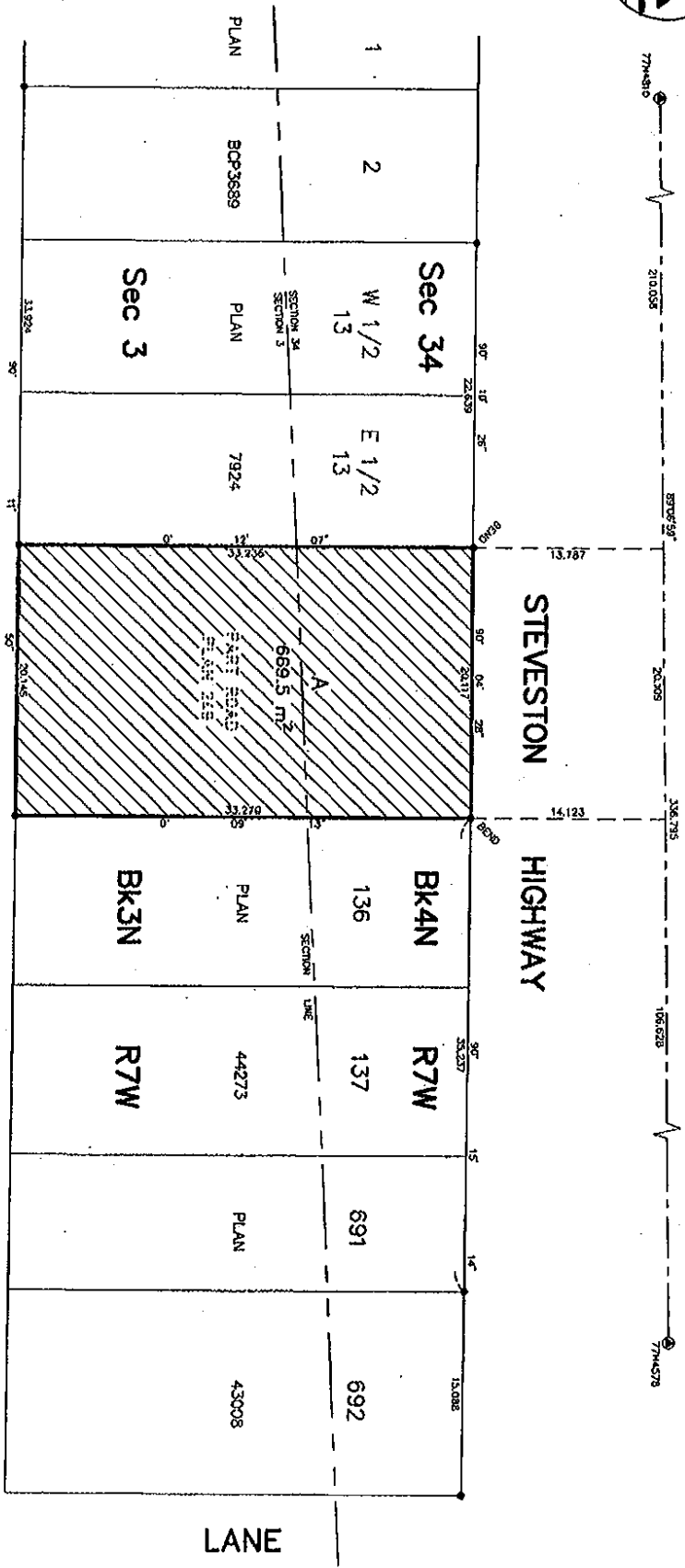
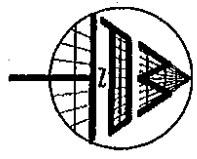
MAYOR

CORPORATE OFFICER

REFERENCE PLAN TO ACCOMPANY THE CITY OF RICHMOND ROAD CLOSING AND REMOVAL OF ROAD DEDICATION BYLAW NO. 8544 OF PORTION OF ROAD DEDICATED BY PLAN 249 SECTION 3 BLOCK 3 NORTH RANGE 7 WEST AND SECTION 34 BLOCK 4 NORTH RANGE 7 WEST NEW WESTMINSTER DISTRICT

BCGS 92G.015

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



LEGEND
SCALE 1:250

ALL DISTANCES ARE IN METRES.

② INDICATES CONTROL POINT FOUND

○ INDICATES STATIONED IRON POST FOUND

▨ INDICATES PORTION OF ROAD TO BE CLOSED

MATSON PECK & TOPLISS
SURVEYORS & ENGINEERS
4300 - 1120 HORSeshoe WAY
RICHMOND, B.C. V7A 5H7
PH: 604-270-9331
FAX: 604-270-4137
CALLER: 16157-002-827-RC-0004/DIC
R-09-16187-

INTERPRETED SURVEY AREA NO. 12, RICHMOND, MAJORS (SRS) CAD DRAWINGS ARE DERIVED FROM OBSERVATIONS BETWEEN GEODETIC CONTROL POINTS 77M4578 AND 77M4579 THIS PLAN SHOWS HORIZONTAL, VERTICAL, LENGTH, DISTANCES EXCEPT WHERE OTHERWISE NOTED TO COMPUTE GRID DISTANCES. MULTIPLY GRID-DISTANCE BY COMBINED FACTOR 0.999995555. THE INTENDED PLOT SIZE OF THIS PLAN IS 11.000 METERS BY 22.000 METERS. THE INTENDED PLOT AREA IS 242.000 M². THE INTENDED PLOT AREA IS 11.000 METERS BY 11.000 METERS (1:250).

OFFICER SIGNATURE(S)
SIGNATURE

EXECUTION DATE		
T	M	D

PARTIES(S) SIGNATURE(S)
CITY OF RICHMOND
BY ITS AUTHORIZED SIGNATORY

VALUATOR D. BRONK
MAYOR AUTHORIZED SIGNATORY

DAVID BRONK
CORPORATE PROXY
AUTHORIZED SIGNATORY

(PRINT NAME)
COMMISSIONER FOR TRADING AFFAIRS FOR THE CITY OF RICHMOND
6911 NO. 3 ROAD
RICHMOND, B.C. V6V 2G1
278-4000
278-4000
D.A. TO THE S.P. OF
DAVID BRONK

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT

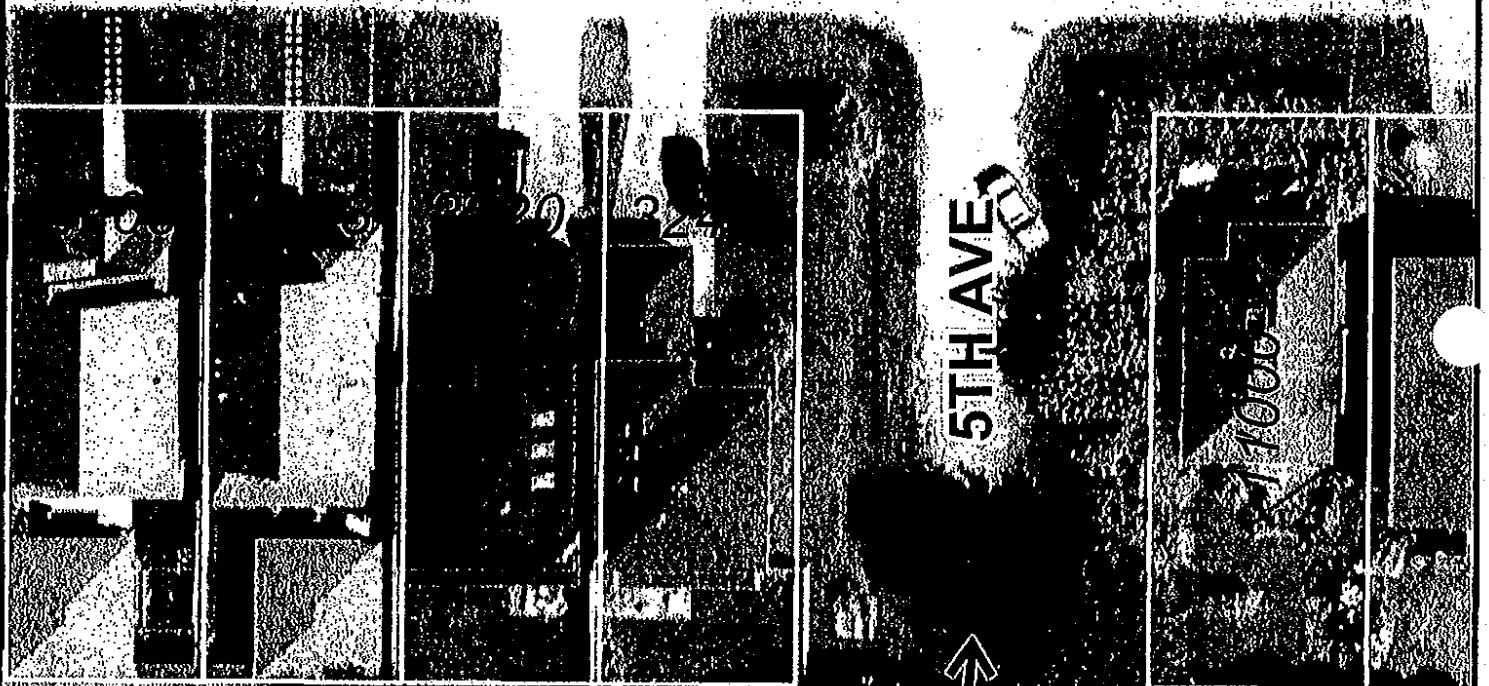
1.1 STEVEN CAMPBELL, A BRITISH COLUMBIA LAND SURVEYOR OF FORT RICHMOND, IN BRITISH COLUMBIA, CERTIFIES THAT HE HAS REVISIONED AND PERSONALLY SUPERVISED THE SURVEY REPRESENTED BY THIS PLAN, AND THAT THE SURVEY AND PLAN ARE CORRECT. THE FIELD SURVEY WAS COMPLETED ON _____ DAY OF _____ 2009.

THE PLAN WAS COMPLETED AND CHECKED, AND THE DEPOSIT FILED UNDER F. _____ ON _____ DAY OF _____ 2009.

PLAN BCP
REF. No. _____
DEPOSITED IN THE LAND TITLE OFFICE AT NEW WESTMINSTER, B.C. THIS DAY OF _____ 20____



STEVESTON HWY



South side of Steveston Highway at 5th Avenue



South side of Steveston Highway at 5th Avenue

GP-10 (Closed)

Original Date: 06/30/09

Amended Date:

Note: Dimensions are in METRES