



Corporate Report

NO: _____

COUNCIL DATE: _____

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **December 23, 2004**
 FROM: **General Manager, Engineering** FILE: **0910-30/49**
 SUBJECT: **Lane Closure at 13429 - 66A Avenue**

RECOMMENDATION

That Council approve the previously approved sale of a 2,947 ft.² (273.8 m²) portion of unopened lane on the west side of the property located at 13429 - 66A Avenue as outlined in the attached Corporate Report (R240).

BACKGROUND

On September 27, 2004, Council authorized the Engineering Department to proceed with the sale and closure of a ±2,950 ft.² (±274 m²) portion of unopened lane adjacent to 13429 - 66A Avenue. The exact area of the closed lane is confirmed by a legal survey as 2,947 ft.² (273.8 m²). Council's approval of the sale of this portion of lane is now required to complete the final step in the lane closure process prescribed by the new Community Charter.

DISCUSSION

As a result of the recent introduction of the new Community Charter, the process involving the closure of redundant roads has been changed. While there are some procedural differences between the Local Government Act and the Community Charter, the intent, rights, and obligations of the new legislation upon the City and road closure applicants remain relatively the same.

The Community Charter requires that Council's approval to close and sell roads must be obtained on two separate occasions. The first time is at the beginning of the closure process when Council is requested to authorize the "cancellation of highway" for the portion of road to be closed and consolidated. The second time is at the end of the process when Council's authority is required to formally dispose of the road after all the statutory requirements have been met. In accordance with Section 40 of the Community Charter, the Realty Services Division has met all the necessary requirements to dispose of these redundant portions of road, and it is now in order for Council to authorize this last step in the road closure and sale process.

CONCLUSION

It is recommended that Council approve the disposal of the subject portion of lane as outlined in the attached report.

Paul Ham, P. Eng.
General Manager, Engineering

MPR 12/23/04 3:39 PM

Attachment

Corporate Report R240