



Corporate Report

NO: R008

COUNCIL DATE: January 26,

2004

REGULAR COUNCIL

TO: Mayor & Council DATE: January 20, 2004
FROM: General Manager, Engineering FILE: 7803-0292
SUBJECT: Walkway Closure at 104 Avenue and 125B Street

RECOMMENDATION

That Council authorize:

1. a road closure to close a $\pm 1,485 \text{ ft.}^2$ ($\pm 138 \text{ m}^2$) opened portion of walkway at 104 Avenue and 125B Street;
2. the City Clerk to bring forward a Road Closure By-law for consideration by Council.

BACKGROUND

A. Property Location

The portion of walkway proposed for road closure is located in the North Surrey area at 104 Avenue and 125B Street and is not subject to a Neighbourhood Concept Plan. The immediate area is primarily residential.

B. Plan Designations, Zoning and Land Uses

The property located at 12559 - 104 Avenue is currently zoned RF (Single Family Residential) and is used as a holding property.

The Official Community Plan designation for this area is Urban.

C. Purpose of Walkway Closure

The developers are proposing a two lot residential subdivision with the addition of the closure and consolidation of a portion of adjacent walkway. In exchange the developer will dedicate portions of land for a future lane to the rear of the subdivided lots.

D. Process

As a result of the recent introduction of the new Community Charter, the processes involving the closure or exchange 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. Essentially, the process to close roads has been streamlined to provide clarity and expediency to the process and road exchanges are no longer applicable. Currently, City staff from Engineering, Legal, and Legislative Services are working with the province and the Land Title Office to ensure that the appropriate procedural changes are implemented accordingly.

The road closure in this report is the first one under the new system. The following is an outline of the new process. Prior to introduction of the By-law, the City will post a notice at City Hall and advertise the City's intention to close the portion of walkway and remove the dedication as highway. Prior to approval by Council, a reference plan prepared at

the applicant's expense is submitted to the Legislative Services Department requesting Introduction and Adoption of a Road Closure By-law. In conformance with Section 40(3) of the Community Charter, notice of the closure will be advertised for two consecutive weeks in a local newspaper following the Introduction and First Reading at the Regular Council meeting. The advertisement provides information to the public at large on the details of the closure and indicates that all pertinent data can be obtained from the Realty Services Division. All concerns from the public will be addressed prior to completion of the closure. The City will execute transfer documents to transfer the portion of walkway on behalf of the Crown. These documents, along with a consolidation plan provided by the developer, will effect the transfer and consolidation of the portion of walkway upon registration at the Land Title Office.

E. Conclusion

The road closure allows the developers to proceed with the proposed residential subdivision. The portion of walkway to be closed and consolidated is not needed for walkway purposes and does not affect the surrounding area. After closure and consolidation of the portion of walkway with the proposed subdivision, a 13 foot wide portion of the existing walkway will remain open to the public.

It is recommended that Council approve the road closure as outlined in this report.

Paul Ham, P.Eng.
General Manager, Engineering

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Appendices

- I. Site Map
- II. Aerial Photograph of Site