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Corporate Report

NO: R010

COUNCIL DATE: January 26,

2004

REGULAR COUNCIL

TO: Mayor & Council DATE: January 20, 2004

FROM: General Manager, Engineering FILE: 7803-0175

SUBJECT: Lane Closure at 64 Avenue and 134A Street

RECOMMENDATION

That Council authorize:

- 1. a lane closure to close a ±581 ft.² (±54 m²) unopened portion of lane at 134A Street between 63 Avenue and 64 Avenue;
- 2. the City Clerk to bring forward a Road Closure By-law for consideration by Council.

BACKGROUND

A. Property Location

The road allowance proposed for lane closure is located in the Newton area at 134A Street between 63 Avenue and 64 Avenue and is not subject to a Neighbourhood Concept Plan. The immediate area is primarily residential.

B. Plan Designations, Zoning and Land Uses

The properties comprising the development located at 13484 - 64 Avenue and 6361 135 Street are currently zoned RF (Single Family Residential) and RF-G (Single Family Residential Gross Density) and are used as holding properties.

The Official Community Plan designation for this area is Urban Residential.

C. Purpose of Lane Closure

The developers are proposing a 6 lot subdivision. To the west is a redundant portion of lane that, by consolidation with the development, does not increase the lot yield. The developer has agreed to close and consolidate the lane, which would result in one slightly larger lot for the subdivision. In exchange the developer will dedicate a portion of land for a future lane between the proposed 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the process to close roads has been streamlined to provide clarity and expediency to the process and road exchanges are no longer applicable.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 second one under the new legislation and the following is an outline of the new process. Prior to introduction of the Road Closure 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 lane closure allows the City to dispose of a redundant portion of lane. As a result, the City will be relieved of its administrative, liability, and maintenance responsibilities related to this redundant portion of lane. The portion of lane to be closed and consolidated is not needed for road purposes and does not affect the surrounding area.

It is recommended that Council approve the lane 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