

The realignment of the 84 Avenue intersection to Fraser Highway has resulted in a portion of 84 Avenue fronting the subject property becoming redundant. The Engineering Department raised the possibility of exchanging the redundant road during negotiations, and the owners have subsequently agreed to acquire this portion of road for consolidation with their property. A statutory right-of-way will be placed over the road closure area to protect the existing BC Hydro overhead services.

5. Status of Negotiations

A negotiated settlement has been reached with the owners subject to Council approval by March 23, 2003. Completion is to take place upon registration on or before May 14, 2004.

6. Road Closure Process

Prior to final approval of Council, a reference plan prepared at the City's expense will be submitted to the Legislative Services Department requesting Introduction and Adoption of a By-law to close and remove the dedication as highway. Prior to Final Adoption of the By-law, in conformance with Sections 40 (3) and 94 of the Community Charter, notice of the closure will be advertised for two consecutive weeks in a local newspaper, and a notice will be posted at City Hall. 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. In addition, as required under Section 40 (4) of the Charter, notice of the City's intention to close the road will be directed to all utility companies considered to be affected by the proposed closure. Legislative Services will then request Council to provide Final Adoption of the By-law. Upon completion of these requirements, the By-law will then be registered at the Land Title Office. The Realty Services Division will then advertise the disposition of the road/lane in a local newspaper and will post a notice at City Hall as prescribed under Sections 26 and 94 of the Charter. The advertisement and notice will, in this instance, contain a description of the land. Upon completion of these items, a final report will be submitted to Council to approve the sale. The City will then prepare transfer documents to transfer the road to the applicant, and registration will take place at the Land Title Office.

7. Conclusion

As part of the Fraser Highway upgrade, the partial acquisition will facilitate the road widening and the right-of-way will facilitate the sidewalk construction.

The portion of redundant road created by the 84 Avenue realignment can be closed and consolidated with the subject property, and the owners have agreed to acquire the land in fee simple at the appraised value.

It is recommended that Council approve both the acquisitions and the road closure & consolidation as outlined in this report.

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Appendices

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