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# Corporate Report

NO: R099

COUNCIL DATE: May 3, 2004

#### **REGULAR COUNCIL**

TO: Mayor & Council DATE: April 26, 2004

FROM: General Manager, Engineering FILE: 7803-0359

SUBJECT: Lane Closure at 81 Avenue and King George Highway

### RECOMMENDATION

That Council authorize the City Clerk to bring forward a By-law for First, Second and Third Readings by Council to close and remove the dedication as highway of a  $\pm 1,980$  ft.<sup>2</sup> unopened lane at 81 Avenue and King George Highway.

#### **BACKGROUND**

#### A. Property Location

The road allowance proposed for lane closure is located in the Newton area at 81 Avenue and King George Highway. The immediate area is primarily commercial with surrounding residential nodes.

### B. Plan Designations, Zoning and Land Uses

The properties comprising the development and located at 8057, 8071 and 8085 King George Highway are currently zoned RF (Single Family Residential) and are used as holding properties. The area is not subject to a Neighbourhood Concept Plan.

The Official Community Plan designation for this area is Urban.

### C. Purpose of Lane Closure

The developers are proposing a mixed commercial/residential development with the addition of the closed lane.

## D. Process

Prior to final approval of Council, a reference plan prepared at the applicant'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 lane 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 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 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 lane to the applicant, and registration will take place at the Land Title Office.

#### E. Conclusion

The lane closure allows the developers to proceed with their commercial/residential development. The portion of lane to be closed and consolidated is not needed for road purposes and does not affect the surrounding area.

As required under Section 40 (4) of the Community Charter, all utility companies potentially affected by the lane closure, have been consulted. All have advised that the closing of this potion of lane does not affect their services.

> Paul Ham, P. Eng. General Manager, Engineering

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# **Appendices**

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