



Corporate Report

NO: R119

COUNCIL DATE: May 17, 2004

REGULAR COUNCIL

TO: Mayor & Council DATE: May 6, 2004
FROM: General Manager,
Engineering FILE: 1799-302
SUBJECT: City Initiated Lane Closure (12870 - 72 Avenue)

RECOMMENDATION

That Council approve the previously approved sale of a $\pm 5,737$ ft.² portion of lane as outlined in the attached Corporate Report (R184).

BACKGROUND

On September 8, 2003, Council authorized the Engineering Department to proceed with the sale and closure of a $\pm 5,737$ ft.² portion of lane. Council's approval of the sale of this lane is now required to complete the final step in the road/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 or exchange of redundant roads and lanes 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/lane closure applicants remain relatively the same.

The Community Charter requires that Council's approval to close and sell roads and lanes 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 and/or lane 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 and/or lane 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 the redundant portion of lane, and it is now in order for Council to authorize this last step in the road/lane closure and sale process.

CONCLUSION

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

Paul Ham, P.Eng.
General Manager, Engineering

GT/mpr

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Appendices

I. Corporate Report R184