



Corporate Report

NO: R120

COUNCIL DATE: May 17, 2004

REGULAR COUNCIL

TO: Mayor & Council DATE: May 7, 2004
FROM: General Manager, FILE: 0910-30/24 &
Engineering 25
SUBJECT: Walkway Closure at 14200 Block 33 Avenue

RECOMMENDATION

That Council approve the previously approved sale of:

- (i) a ± 803 ft.² (± 75 m²) unopened portion of walkway east of 14228 – 33 Avenue; and,
- (ii) a ± 804 ft.² (± 75 m²) unopened portion of walkway west of 14238 – 33 Avenue

as outlined in the attached Corporate Report (R059).

BACKGROUND

On March 22, 2004, Council authorized the Engineering Department to proceed with the sale and closure of two portions of walkway containing $\pm 1,607$ ft². Council's approval of the sale of this walkway is now required to complete the final step in the road 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 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.

The Community Charter requires that Council's approval to close and sell roads 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 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 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 walkway, and it is now in order for Council to authorize this last step in the road closure and sale process.

CONCLUSION

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

Paul Ham, P.Eng.

General Manager, Engineering

GT/amg

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Appendices

I. Corporate Report R059