

# Corporate Report

NO: R177

COUNCIL DATE: July 19, 2004



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## REGULAR COUNCIL

TO: Mayor & Council                      DATE: July 9, 2004  
FROM: General Manager,  
Engineering                                  FILE: 7802-0211  
SUBJECT: Road Closure at 106A Avenue and 156 Street

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## RECOMMENDATION

That Council approve the previously approved sale of a  $\pm 3,326$  ft.<sup>2</sup> ( $775$  ft.<sup>2</sup> +  $2,551$  ft.<sup>2</sup>) opened portion of 106A Avenue and a  $\pm 2,896$  ft.<sup>2</sup> unopened portion of lane between 156 Street and 157 Street as outlined in the attached Corporate Report (R126).

## BACKGROUND

On June 7, 2004, Council authorized the Engineering Department to proceed with the sale and closure of a  $\pm 3,326$  ft.<sup>2</sup> ( $775$  ft.<sup>2</sup> +  $2,551$  ft.<sup>2</sup>) opened portion of 106A Avenue and a  $\pm 2,896$  ft.<sup>2</sup> unopened portion of lane between 156 Street and 157 Street. Council's approval of the sale of these portions of road and lane 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 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 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 these redundant portions of road and lane, 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 road and lane disposal as outlined in the attached report.

Paul Ham, P.Eng.  
General Manager, Engineering

GT/amg

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## Appendices

### I. Corporate Report R126