



# Corporate Report

**NO: R205**

**COUNCIL DATE: July 26, 2004**

## REGULAR COUNCIL

TO: Mayor & Council DATE: July 20, 2004

FROM: General Manager, Engineering FILE: 7802-0184

SUBJECT: Road Closure at 108 Avenue and 157A Street

## 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  $\pm 9,142$  ft.<sup>2</sup> ( $\pm 849.3$  m<sup>2</sup>) unopened portion of road at 108 Avenue and 157A Street.

## BACKGROUND

### A. Property Location

The road allowance proposed for road closure is located in the Fraser Heights area at 108 Avenue and 157A Street. The immediate area is primarily residential.

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

The property comprising the development and located at 15763 – 108 Avenue is currently zoned RF (Single Family Residential) and is used as holding property. The area is not subject to a Neighbourhood Concept Plan.

The Official Community Plan designation for this area is Urban.

### C. Purpose of Road Closure

The developer is proposing a 12 lot residential development with the addition of the closed road.

### 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 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 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 road to the applicant, and registration will take place at the Land Title Office.

## **E. Conclusion**

The road closure allows the developers to proceed with their residential development. The portion of road 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 road closure, have been consulted. All have advised that the closing of this portion of road does not affect their services.

Paul Ham, P. Eng.  
General Manager, Engineering

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## Appendices

- I Site Map
- II Aerial Photograph of Site