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Corporate Report

NO: R221

COUNCIL DATE: October 3,

2005

REGULAR COUNCIL

TO: Mayor & Council DATE: September 28, 2005

FROM: General Manager, Engineering FILE: 7802-0206

SUBJECT: Road Closure at 76 Avenue and 144 Street

RECOMMENDATION

That Council authorize the City Clerk to bring forward a By-law for consideration by Council to close and remove the dedication as highway of a $\pm 2,491$ ft.² (± 231 m²) unopened portion of 76 Avenue at 144 Street.

BACKGROUND

A. Property Location

The portion of road allowance proposed for road closure is located in the Newton area at 76 Avenue and 144 Street and is not subject to a Neighbourhood Concept Plan. The immediate area is primarily residential.

B. Plan Designations, Zoning, and Land Uses

The property located at 7591 - 144 Street is currently zoned RF-G (Half Acre Gross Density) under Land Use Contract #97 and is a holding property. The Official Community Plan designation for this area is Urban.

C. Purpose of Road Closure

The applicant is proposing to develop a 3 lot residential subdivision with the addition of the closed road.

D. Land Value

The applicant has agreed to provide compensation to the City equivalent to the market value as determined by a qualified professional appraiser.

E. 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.

F. Conclusion

The road closure allows the developers to proceed with their proposed residential development. The portion of road to be closed and consolidated is not needed for road purposes and does not affect the surrounding area. A 4.0 metre wide portion of the redundant road will remain for a future walkway.

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.

The terms of the proposed closure are considered reasonable and the Planning and Parks Departments support this closure.

Paul Ham, P. Eng. General Manager, Engineering

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Appendices

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