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# Corporate Report

NO: R244:

COUNCIL DATE: November 7,

2005

## **REGULAR COUNCIL**

TO: Mayor & Council DATE: October 26, 2005

FROM: General Manager, Engineering FILE: 7805-0007

SUBJECT: Road Closure at 20 Avenue and 136 Street

#### RECOMMENDATION

That Council authorize the City Clerk to bring forward a By-law for consideration to close and remove the dedication as highway of a  $\pm 32,616$  ft.<sup>2</sup> ( $\pm 3,030$  m<sup>2</sup>) unopened portion of 136 Street at 20 Avenue and a  $\pm 17,492$  ft.<sup>2</sup> ( $\pm 1,625$  m<sup>2</sup>) unopened portion of Chantrell Park Drive.

#### BACKGROUND

# A. Property Location

The portions of road allowance proposed for closure are located in the Elgin area at 20 Avenue and 136 Street and are not subject to a Neighbourhood Concept Plan. The immediate area is primarily residential.

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

The properties located at 13617 and 13637 - 20 Avenue are zoned One Acre Residential (RA). The Official Community Plan designation for this area is Suburban.

## C. Purpose of Road Closure

A developer has made application to the Planning & Development Department (7905 0007-00) to rezone 13617 and 13637 - 20 Avenue from One Acre Residential (RA) to Half Acre Residential Gross Density (RH-G). Upon the rezoning of these properties, the  $\pm 32,616$  ft.<sup>2</sup> unopened portion of 136 Street and the  $\pm 17,492$  ft.<sup>2</sup> unopened portion of Chantrell Park Drive will be closed and consolidated with the properties to facilitate a 24 lot residential subdivision. The remainder of 136 Street will be retained for future sale and consolidation with the large parcels to the west.

#### D. Land Value

The applicant has agreed to provide compensation to the City, as determined by a qualified professional appraiser, equivalent to the increase in market value attributable to the addition of the usable area of the two road closures. Portions of the subject areas will be encumbered with rights-of-way for various underground City services.

#### 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 closures 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 closures 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 closures. In addition, as required under Section 40 (4) of the Charter, notice of the City's intention to close the roads will be directed to all utility companies considered to be affected by the proposed closures. Legislative Services will then request Council to provide Final Adoption of the By-law. Upon completion of these requirements, the By-law will be registered at the Land Title Office. The Realty Services Division will then advertise the disposition of both of the roads in a local newspaper and 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 roads to the applicant, and registration will take place at the Land Title Office.

## F. Conclusion

The road closures allow the developers to proceed with their proposed residential development. The portions of road to be closed and consolidated are not needed for road purposes and do not affect the surrounding area.

As required under Section 40 (4) of the Community Charter, all utility companies potentially affected by the road closures have been consulted. All have advised that the closing of these two portions of road do not affect their services.

The terms of the proposed closures are considered reasonable, and the Planning and Parks Departments support these road closures.

Paul Ham, P. Eng. General Manager, Engineering

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## **Appendices**

I. Aerial Photograph of Site