



Corporate Report

NO: R059

COUNCIL DATE: April 28, 2008

REGULAR COUNCIL

TO: Mayor & Council DATE: November 23, 2007
FROM: General Manager, Engineering FILE: 7906-0378-00
SUBJECT: 145 Street Road Closure (14482 - 60 Avenue)

RECOMMENDATION

The Engineering Department recommends that Council authorize the City Clerk to bring forward a by-law for First, Second, and Third Readings to close and remove the dedication as highway of a $\pm 2,228$ ft.² (± 207 m²) opened portion of road adjacent to 14482 - 60 Avenue.

BACKGROUND

1. Property Location

The road allowance proposed for closure is an irregular shaped portion of unconstructed 145 Street fronting its intersection with 59B Avenue and adjacent to the privately-owned property at 14482 - 60 Avenue.

2. Plan Designations, Zoning, and Land Uses

The subject portion of 145 Street and the adjacent property at 14482 - 60 Avenue are currently zoned One Acre Residential (RA) Zone. They are designated Urban in the Official Community Plan and Single Family Residential (RF) Zone on the South Newton NCP Land Use Plan. The road closure area, which cannot be developed on its own, will be consolidated with 14482 - 60 Avenue and developed into 10 residential lots.

DISCUSSION

1. Purpose of Road Closure

The property located at 14482 - 60 Avenue is the subject of a rezoning and subdivision application (Project 7906-0378-00) to create four RF lots, one RF-12 lot, and five RF-9 lots for a total of 10 building lots. The Planning and Engineering Departments recommend the sale of the redundant 2,228 ft.² portion of 145 Street for consolidation into this development project. The road closure area will contribute toward the creation of the one RF-12 lot.

2. Land Value

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

3. Road Closure Process

Prior to final approval of Council, a reference plan 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.

CONCLUSION

The portion of road to be closed and consolidated is not needed for road purposes. The terms of agreement covering the disposition of the surplus road for consolidation with the adjacent lands located at 14482 - 60 Avenue are considered reasonable.

Paul Ham, P. Eng.
General Manager, Engineering

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Appendices

- I. Aerial Photograph of Site