

in 2003 (File No. 7903-0250-00). The subject 184 Street road allowance was considered for inclusion in the 2003 subdivision application. However, the City was precluded from then selling the road because of the existence of a life estate of the residence located on the property at 18386 - 96 Avenue and the need to maintain road access for the life estate. Therefore, the surplus road could not be closed at that time. The life estate has now ended and the owners of 18386 - 96 Avenue, who are the also owners of 18412 - 96 Avenue, wish to proceed to consolidate their property with the surplus road and rezone the lands to IL.

Prior to the road disposition, the City will register a 10 metre wide statutory right-of-way on the east side of the road allowance for the protection of an existing storm sewer and a future sanitary trunk sewer. Within that right-of-way area, BC Hydro will retain a statutory right-of-way over a smaller area for an existing overhead hydro power line. Approximately 7,922 ft² ($\pm 50\%$) of the $\pm 15,608$ ft.² area of road to be closed will be encumbered by the proposed rights-of-way.

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 portion of road to be closed and consolidated is not needed for road purposes and does not affect the surrounding area. The Planning and Engineering Departments support this closure in conjunction with a rezoning application for 18386 - 96 Avenue. City staff have therefore reached an agreement with the applicant on the road closure, the terms of which are considered reasonable.

As required under Section 40 (4) of the Community Charter, all utility companies potentially affected by the road closure have been consulted. The road to be closed is encumbered by an overhead electric power line, shared with Telus, and a statutory right-of-way will therefore be registered on title in favour of BC Hydro and Telus. All other utility companies have advised that the closing of this portion of road does not affect their services.

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Appendices

I. Aerial Photograph of Site