

Corporate Report

NO: R108

COUNCIL DATE: June 12, 2006

REGULAR COUNCIL

TO: Mayor & Council DATE: June 6, 2006

FROM: General Manager, Engineering FILE: 7804-0241

SUBJECT: Road Closures at 59 Avenue and 60 Avenue

between 162 Street and 164 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 $\pm 1,208$ ft.² (± 112 m²) portion of 59 Avenue, a $\pm 2,454$ ft.² (± 228 m²) portion of 60 Avenue, and a ± 57 ft.² (± 5.3 m²) portion of 164 Street.

A. Property Location

The five portions of road allowances proposed for closure are located in the Newton area at 59 Avenue and 60 Avenue between 162 Street and 164 Street and are located within the West Cloverdale South Land Use Plan area. The immediate area is primarily residential.

B. Plan Designations, Zoning, and Land Uses

The adjoining properties located at 16331 - 59 Avenue and 16308 - 60 Avenue are both currently zoned A-1 (General Agriculture) and are each improved with an older, single family residence. The Official Community Plan designation for this area is Suburban.

C. Purpose of Road Closures

The developer is proposing to close and consolidate the portions of road to facilitate a 55 lot, single family residential subdivision.

D. Land Value

The developer 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 portions of 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 portions of 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 will 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 portions of road to the applicant, and registration will take place at the Land Title Office.

E. Conclusion

The road closure allows the developer to close and consolidate the surplus portions of road to facilitate a 55 lot residential subdivision. 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 closure have been consulted. All have indicated that the closing of these portions of road do not affect their services.

The terms of the proposed closure are considered reasonable and the Planning and Parks Departments support the closure and consolidation of these portions of road.

Paul Ham, P. Eng. General Manager, Engineering

GT/mpr

Appendix I: Aerial Photograph of Site