

The Engineering Department's Functional Plan classifies the section of KGH between 8 Avenue and Nicomekl River as an arterial road that has resulted in a strip on each side of KGH becoming redundant. The Engineering Department therefore supports the sale of the surplus $\pm 5,102 \text{ ft.}^2$ ($\pm 474 \text{ m}^2$) portion of KGH fronting the properties at 2636 & 2646 KGH.

The road to be closed is encumbered by public utilities, including utilities owned by Terasen and BC Hydro. Prior to road disposition, a blanket right-of-way over the closed road will be registered on title to protect these services. No heritage trees are located in this area; however, two heritage trees are located just outside the road closure area and the landscaping plan and fencing for the proposed development will fully protect these trees in accordance with the Council approved guidelines for Heritage Tree Protection.

2. 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 2636 & 2646 KGH, 2681/83 and 2707/09 Parkway Drive are considered reasonable.

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PH/AW/mpr/brb

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Appendices

I. Aerial Photograph of Site