

D. 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 portion 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 portion 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 portion of road to the applicant, and registration will take place at the Land Title Office.

E. Conclusion

The ±10,884 ft.² portion of road will be returned to the owners of 2656 - 160 Street, at no cost as they were the original dedicators of the road and have retained ownership of the adjacent property since the time of dedication. The City's Policy Manual P-4, (Road, Lane and Walkway Closure Policy), (2) (a) indicates that compensation is not required when "the applicant has remained the original owner since the time the road to be closed was initially dedicated." This 10 metre wide portion of 162 Street is not required for road purposes and the closing and consolidation of this portion of road does not affect the surrounding area.

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

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Appendix I: Aerial Photograph of Site