



Corporate Report

NO: R213

COUNCIL DATE: October 30, 2006

REGULAR COUNCIL

TO: Mayor & Council DATE: October 16, 2006
FROM: General Manager, Engineering FILE: 0910-30/92
SUBJECT: Lane Closure at 18 Avenue and 140 Street

RECOMMENDATION

The Engineering Department recommends that Council authorize the City Clerk to bring forward a By-law for consideration by Council to close and remove the dedication as highway a $\pm 3,714 \text{ ft}^2$ ($\pm 345\text{m}^2$) portion of redundant lane located at 18 Avenue and 140 Street.

A. Property Location

The lane allowance proposed for closure is located in the Elgin area at 18 Avenue and 140 Street and is not subject to a Neighbourhood Concept Plan. The immediate area is primarily residential.

B. Plan Designations, Zoning, and Land Uses

The adjoining property located at 1834 - 140 Street is currently zoned RF (Single Family Residential) and improved. The Official Community Plan designation for this area is Urban.

C. Purpose of Lane Closure

The applicants are proposing to close and consolidate the portion of lane to increase their lot size. In addition the applicant will dedicate a $\pm 694 \text{ ft}^2$ (64.44m^2) portion of land for the future widening of 140 Street.

D. Land Value

The applicants have agreed to provide compensation to the City equivalent to the market value as determined by a qualified professional appraiser. The subject and adjacent properties are zoned RF (Single Family Residential) and designated Urban on the Official Community Plan. With the addition of the lane the consolidated parcel will have a lot width of 94.16 feet (28.7m). This is insufficient width to be subdivided into 2 lots, as the minimum width requirement for infill lots is 54.12 feet (16.5m). In addition, the lane allowance at 32.8 feet (10.0m) wide and ±113 feet (34.5m) in depth is too narrow to be developed on a stand alone basis.

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

F. Conclusion

The lane closure allows the applicants to increase their lot size. The portion of lane to be closed and consolidated is not needed for road purposes and does not affect the surrounding area.

As required under Section 40 (4) of the Community Charter, all utility companies potentially affected by the lane closure have been consulted. All have indicated that the closing of this portion of lane does not affect their services.

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

Paul Ham, P.Eng.
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Appendix I: Aerial Photograph of Site