

approval under the new legislation as a road closure. Consequently, By-law No. 13760 must be repealed and the previously approved road exchange will have to proceed in accordance with the new provisions of the Community Charter as described in the next section.

PROCESS UNDER COMMUNITY CHARTER

Prior to final approval of Council, a reference plan will be prepared and 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 will contain a description of the land and the price paid by the applicant. 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 information contained within the report allows the City to complete the road closure based on the requirements of Section 40 of the new Community Charter. The portion of road to be closed and consolidated is not needed for road purposes.

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 this portion of road does not affect their services.

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

Paul Ham, P.Eng.
General Manager, Engineering

GT/mpr:rd

<http://surrey.ihostez.com/content/uploaded/b4f25a5b27b84b20a52ed4db7e638757-01251149-gt.doc>
C 7/19/10 10:34 AM

Appendices:

- I. Aerial Photograph of Site
- II. Corporate Report R 1796