

# Corporate Report

NO: <u>R033</u>

COUNCIL DATE: \_MARCH 12, 2007

## **REGULAR COUNCIL**

TO: Mayor & Council DATE: March 7, 2007

FROM: General Manager, Engineering FILE: 0910-30/98

SUBJECT: City-initiated Road Closure at 176 Street and 56 Avenue

#### RECOMMENDATION

The Engineering Department recommends 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 two portions of road containing  $\pm 40,040$  ft.<sup>2</sup> ( $\pm 3,720$  m<sup>2</sup>) located at 176 Street and No. 10 Highway.

### A. Property Location

The road allowance proposed for closure is located in the Cloverdale area at 176 Street and No. 10 Highway, and is not subject to a Neighbourhood Concept Plan. The immediate area is primarily Industrial.

## B. Plan Designations, Zoning, and Land Uses

The adjoining property located at 17472 No. 10 Highway is currently zoned IL (Light Industrial) and improved with a semi trailer parking and warehouse facility. The Official Community Plan designation for this area is Industrial.

## C. Purpose of Road Closure

As part of the upgrading of No. 10 Highway under the Border Infrastructure Program, 55 Avenue is being realigned to run under the railway overpass (Roger Pierlet Bridge). This realignment creates a redundant section of City road. Please see Appendix 1.

Staff of the Border Infrastructure Program have requested that the City close and consolidate the redundant  $\pm 40,040$  ft.<sup>2</sup> portion of road on their behalf, as the road is City controlled. The Province will provide the necessary plans and documents, as well as pay all costs to complete the road closure.

#### D. Process

Prior to final approval of Council, a reference plan prepared at the Province'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 (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 return of these two portions of road will allow the owners of 17472 No. 10 Highway to continue the operation of their semi trailer parking and warehouse facility operation. The portion of road 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 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 Engineering Departments support this road closure.

Paul Ham, P.Eng. General Manager, Engineering

PH/GT/mpr/brb

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Appendix I: Aerial Photograph of Site