



Corporate Report

NO: R006

COUNCIL DATE: January 28, 2008

REGULAR COUNCIL

TO: Mayor & Council DATE: January 23, 2008

FROM: General Manager, Engineering FILE: 7807-0006

SUBJECT: Road Closure at 140 Street and Fraser Highway to Realign 140 Street
at the Northeast Corner of the Intersection for Public Safety Reasons
Outpatient Facility- Fraser Health - 9750 - 140 Street

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 a $\pm 7,380 \text{ ft.}^2$ ($\pm 685.6 \text{ m}^2$) portion of road located at the southwest corner of Block G (PID 027- 060-411) owned by the Province, for the benefit of Fraser Health. (An approximately equal amount will be dedicated as road as shown on Appendix 1.)

A. Property Location

The portion of road allowance to be closed is located in the southwestern portion of the former provincial Green Timbers lands. This road allowance was created when the Province created the new land parcel (Block G) for the outpatient care facility. The legal boundaries of the lot were based on an initial realignment of 140 Street at Fraser Highway to improve safety at this intersection. The road closure would be consolidated back with the newly created Block G at 140 Street and Fraser Highway.

B. Plan Designations, Zoning, and Land Uses

The adjoining property located at 9750 - 140 Street is vacant, and as of December 2007 was zoned for hospital, including outpatient and accessory uses under Comprehensive Development By-law No. 16417. The land was previously zoned RA (One Acre Residential Zone). The Official Community Plan designation for this area is Conservation Area.

C. Purpose of Road Closure

The City's Engineering Department has worked with Fraser Health to optimize both the realignment of the intersection of 140 Street at Fraser Highway to improve traffic safety and the use of the Fraser Health lands. The intent of the realignment is to improve the angle of the intersection of 140 Street at Fraser Highway. The optimized realignment allows 7,380 ft.² (685.6 m²) portion of road to be closed and consolidated to facilitate the ultimate construction of the ambulatory care outpatient facility for the Fraser Health Authority. A roughly equal area will need to be dedicated as road just further north as shown in Appendix 1. Fraser Health advises that they expect the Province to transfer title to Block G to them by early February 2008.

D. The Agreement

Once Fraser Health owns Block G, they will dedicate a 7,098 ft.² (659.4 m²) portion of Block G as road. At the same time Fraser Health will receive a similar amount of land from the road closure 7,380 ft.² (685.6 m²). This process will result in the size of Block G remaining near its original size. If approved, this agreement will ultimately facilitate the City's road and utility upgrading of the intersection.

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 road 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 co-ordinated through the City's Engineering Department, Design & Construction Section. All utility companies considered to be affected by the proposed realignment will be consulted prior to reconstruction of the intersection. 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 this 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. The applicant will be responsible to pay the property transfer tax, if applicable, for the portion of road to be closed, as well as Land Title office fees. 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. As this road closure is City initiated, the City's processing fee has been waived.

F. Conclusion

The road closure will assist Fraser Health concerning the proposed outpatient facility and its ultimate development. The portion of road to be closed and consolidated is not needed for road purposes. This City-initiated road closure is being undertaken to support the Engineering Department's plans to improve safety at this intersection.

As required under Section 40(4) of the Community Charter, all utility companies potentially affected by the proposed reconstruction of the intersection will be consulted, and necessary relocations will occur.

Paul Ham, P. Eng.
General Manager, Engineering

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Appendix I: Aerial Photograph of Site