



Corporate Report

NO: R008

COUNCIL DATE: January 28, 2008

REGULAR COUNCIL

TO: Mayor & Council DATE: January 21, 2008
FROM: General Manager, Engineering FILE: 7806-0519
SUBJECT: Lane Closure at 103 Avenue and West Whalley Ring Road

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 $\pm 5,145 \text{ ft.}^2$ ($\pm 478 \text{ m}^2$) portion of lane located directly north of 13399, 13409, 13419 & 13431 - 103 Avenue.

A. Property Location

The lane allowance proposed for closure is located in the City Centre area between 103 & 103A Avenues at the West Whalley Ring Road. The immediate area is currently undergoing redevelopment to high density residential.

B. Plan Designations, Zoning, and Land Uses

The adjoining properties located at 13399, 13409, 13419 & 13431 - 103 Avenue are vacant and currently zoned RF (Single Family Residential). The Official Community Plan designation for this area is City Centre.

C. Purpose of Lane Closure

A developer has made application to the Planning and Development Department (application # 06-000519) to rezone 13399, 13409, 13419 & 13431 - 103 Avenue from RF (Single Family Residential) to CD (Comprehensive Development). Upon the rezoning of this property, the $\pm 5,145 \text{ ft.}^2$ portion of lane will be closed and consolidated to facilitate a high-rise development for a student residence facility to serve SFU. The development is proposed for 228 units consisting of 536 beds to be completed in two phases. The City will retain a Statutory Right-of-Way over the closed portion of lane for sanitary sewer purposes.

D. Land Value

The developer has agreed to provide compensation to the City equivalent to the market value as determined by a qualified professional appraiser.

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 lane 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 this 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 closures allow the developer to proceed with the proposed high-rise student residence facility to serve SFU. The portion of lane to be closed and consolidated is not needed for lane purposes and is in keeping with the transportation plan for the surrounding area.

As required under Section 40(4) of the Community Charter, all utility companies potentially affected by the closing of this portion of lane have been consulted. All have indicated that the closing of the portion of lane does not affect their services. The terms of the proposed closure are considered reasonable, and the Planning and Parks Departments support the lane closure.

Paul Ham, P. Eng.
General Manager, Engineering

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