

Corporate Report

NO: R019

COUNCIL DATE: February 25, 2008

REGULAR COUNCIL

TO: Mayor & Council DATE: February 15, 2008

FROM: General Manager, Engineering FILE: 0910-30-111

SUBJECT: Road Closure at 68 Avenue and 186 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 of a portion of 186 Street between 68 Avenue and 67 Avenue containing an area of $\pm 3,692$ ft.² (± 343 m²).

A. Property Location

The road allowance proposed for closure is located in the northeast Cloverdale area at 68 Avenue and 186 Street, and is subject to the North Cloverdale East Neighbourhood Concept Plan (NCP). The immediate area is a combination of single family residential to the west, commercial to the east, multi family to the south, and Fraser Highway to the north.

B. Plan Designations, Zoning, and Land Uses

The adjoining property located at 18642 Fraser Highway is currently zoned CHI (Highway Commercial Industrial Zone) and is vacant. The Official Community Plan (OCP) designation for this area is Urban.

C. Purpose of Road Closure

A developer has made application to the Planning and Development Department (7907-0310-00) to amend the OCP and rezone 18642 Fraser Highway from CHI (Highway Commercial Industrial Zone) to CD (Comprehensive Development Zone). Upon the amendment of the OCP and the rezoning of this property, the estimated $\pm 3,692$ ft. 2 (± 343 m²) portion of 186 Street will be closed and consolidated to facilitate a CD development.

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 closures 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 closures 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 closures. In addition, as required under Section 40 (4) of the Charter, notice of the City's intention to close the portions of road will be directed to all utility companies considered to be affected by the proposed closures. 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 these portions 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 portions of road to the applicant, and registration will take place at the Land Title Office.

F. Conclusion

The road closure allows the developer to proceed with the proposed CD (Comprehensive Development Zone). The remaining portion of 68 Avenue at Fraser Highway will be retained for a future walkway and green space.

As required under Section 40 (4) of the Community Charter, all utility companies potentially affected by the closing of these portions of road have been consulted. Those who are affected by the road closure have requested that a right-of-way be placed to protect their utility services.

The terms of the proposed closures are considered reasonable, and the Planning and Parks Departments support these road closures.

Paul Ham, P. Eng. General Manager, Engineering

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<u>Appendices</u>

- I. Aerial Photograph of Site
- II. Site Map