

NO: R165

COUNCIL DATE: September 14, 2009

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **September 9, 2009**

FROM: **General Manager, Engineering**

FILE: **0910-30/147**

SUBJECT: **Road Closure (Half Lane) Adjacent to 10695 - 157 Street**

RECOMMENDATION

The Engineering Department recommends that Council authorize the City Clerk to bring forward a by-law to close and remove the dedication as highway of 242.6 m² (2,612 ft.²) of lane adjacent to the south property line of 10695 - 157 Street as illustrated on the attached Appendix I.

BACKGROUND

1. Property Location

The road allowance proposed for closure is a 3 metre strip of the north one half of an unconstructed lane adjacent to the south property line of the residential lot located at 10695 - 157 Street. At present the road closure area is a vacant grassed area. Upon approval by Council, the road closure area will be consolidated with the adjacent residential lot at 10695 - 157 Street.

2. Plan Designations, Zoning, and Land Uses

The road closure area and the adjacent residential lot at 10695 - 157 Street are zoned One-Acre Residential (RA) Zone, and designated as "Urban" in the Official Community Plan.

DISCUSSION

1. Purpose of Road Closure

The area of road proposed for closure is to be consolidated with the adjacent property to the north (10695 - 157 Street), which was approved under Subdivision Application No. 7908-0198. All potentially concerned City Departments have reviewed the closure and have raised no objections to the disposition and consolidation of the subject portion of unconstructed road with the adjacent lot at 10695 - 157 Street.

2. Land Value

The applicants have agreed to provide compensation to the City equivalent to the market value of the land as determined by a qualified appraiser.

3. Road Closure Process

Prior to final approval of Council, a reference plan will be submitted to the Legislative Services Department requesting introduction and adoption of a by-law to close and remove the dedication as highway of the subject portion of road. 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 will provide information to the public at large about the details of the closure and will indicate that all pertinent information 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 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 Community Charter. The advertisement and notice will contain a description of the land. Upon completion of these postings, a final report will be submitted to Council to approve the sale of the closed road. Staff will then prepare transfer documents to transfer the road to the purchaser, and consolidation and registration will take place at the Land Title Office.

CONCLUSION

The portion of road to be closed and consolidated is not needed for road purposes. The terms of the agreement covering the disposition of the surplus road are considered reasonable.

As required under Section 40 (4) of the Community Charter, all utility companies potentially affected by the closing of this lane have been consulted and none has expressed any concerns regarding the proposed road closure.

The remaining half lane will be held for future consolidation with properties to the south at the time of their redevelopment.

Vincent Lalonde, P. Eng.
General Manager, Engineering

BG/mpr

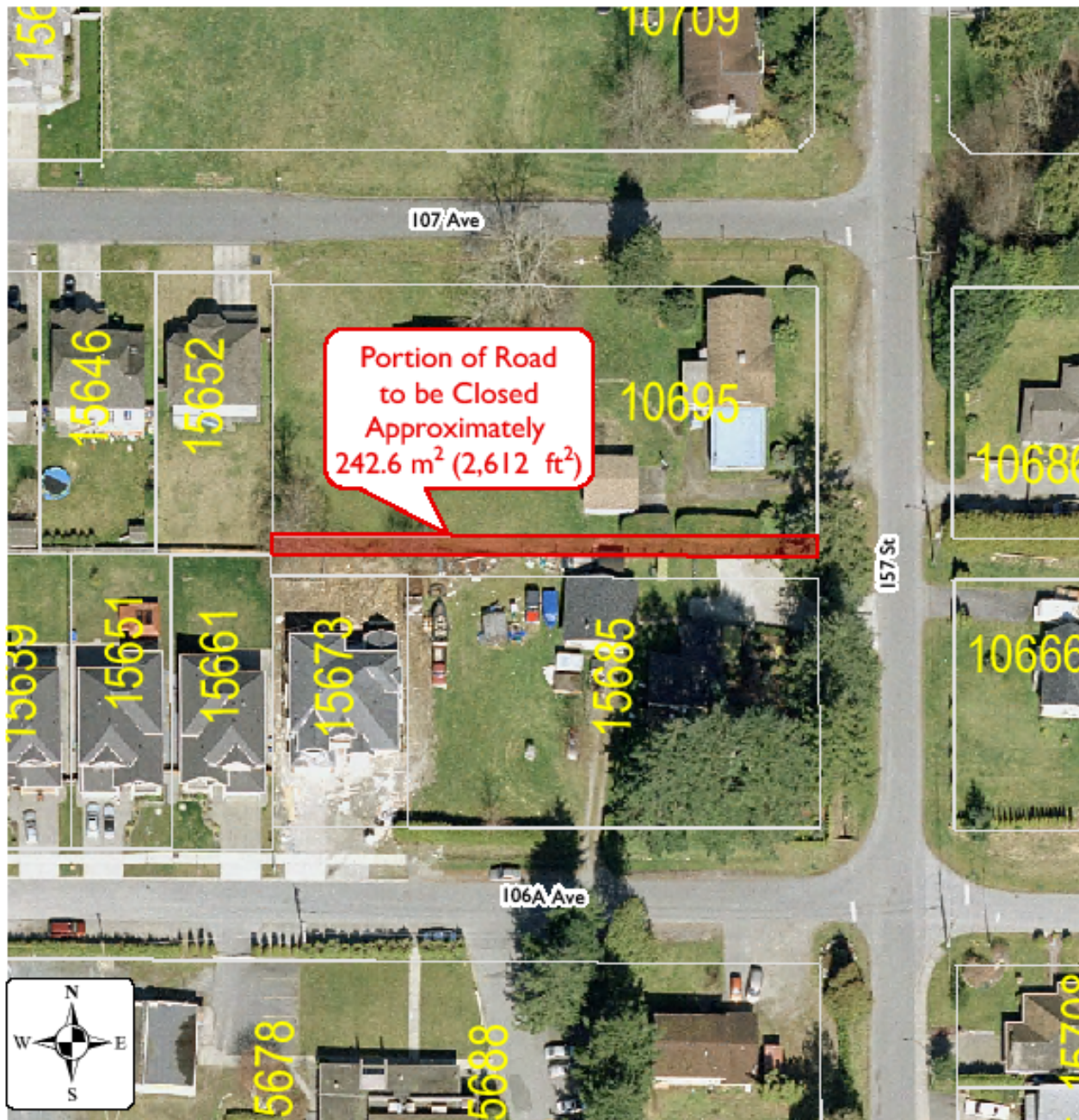
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Appendices

- I. Aerial Photograph of Site
- II. Proposed Subdivision Plan

“all area calculations contained in this report are approximate and subject to final survey”

APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: June 18, 2008, AIV

Date of Aerial Photography: April 2008



**ROAD CLOSURE
ADJACENT TO
10695 - 157 Street**

**REALTY
DIVISION**

The data provided is compiled from various sources and IS NOT warranted as to its accuracy or sufficiency by the City of Surrey.
This information is provided for information and convenience purposes only.
Lot sizes, Legal descriptions and encumbrances must be confirmed at the Land Title Office.

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CORPORATE REPORTS\Realty\
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Proposed Subdivision

PROVISIONAL PLAN OF 101 "A" EXCEPT WEST 332.7 FEET
BLOCK 9, SECTION 22, BLOCK 5 NORTH, RANGE 1 WEST,
NEW WESTMINSTER DISTRICT, PLAN 4677

City of Calgary



SCALE - 1 : 500

All distances are in metres

