

# CORPORATE REPORT

NO: R205 COUNCIL DATE: November 16, 2009

#### **REGULAR COUNCIL**

TO: Mayor & Council DATE: November 12, 2009

FROM: General Manager, Engineering FILE: 0910-30/150

7906-0211

SUBJECT: Road Closure Adjacent to 2227 King George Highway

## **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 approximately 173 m² (1,861 ft.²), a portion of unopened road allowance adjacent to the west property line of 2227 King George Highway as illustrated on the attached Appendix I.

#### **BACKGROUND**

# 1. **Property Location**

The road allowance proposed for closure is a portion of 156 Street within which there is no road constructed and that is located adjacent to the west property line of the residential property at 2227 King George Highway.

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

The subject portion of 156 Street and the adjacent residence at 2227 King George Highway are zoned Single Family Residential (RF) Zone and designated Urban in the Official Community Plan. The road closure area and the adjacent easterly and southerly residential lots will be consolidated and require rezoning to Comprehensive Development Zone (CD) to provide a cluster residential lot to accommodate a proposed development.

#### **DISCUSSION**

## 1. Purpose of Road Closure

The Planning Department has requested the closure and disposition of the subject portion of road allowance, which has been determined to be surplus to the City's needs. The proposal is to sell the closed road to the owners of the adjacent lot at 2227 King George Highway. The City departments have no objection to this road closure.

The 173 m² (1,861 ft.²) road closure area, when consolidated with 2227 King George Highway and 2205 King George Highway, will result in a lot size of 2,478.6 m² (26,680 ft.²), which is sufficient in area and dimensions for a cluster residential development under a CD Zone.

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

#### 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.

# 4. Sustainability Considerations

The proposed road closure supports the City's Sustainability Charter's economic goal of using the City's land base efficiently. The closure and consolidation will increase the City's industrial property tax assessment base.

In particular, the road closure supports the Sustainability Charter Scope actions related to:

- EC2: Economic Development Strategy and an Employment Land Strategy
- EC3: Sustainable Infrastructure Maintenance and Replacement

## **CONCLUSION**

The portion of road to be closed and consolidated is not needed for City purposes. The terms of the agreement covering the disposition of the surplus road are considered reasonable. It is noted that all area calculations contained in this report are approximate and subject to final survey.

Vincent Lalonde, P. Eng. General Manager, Engineering

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Appendix I - Aerial Photograph of Site

# APPENDIX I AERIAL PHOTOGRAPH OF SITE





ROAD CLOSURE ADJACENT TO 2227 KING GEORGE HIGHWAY

REALTY DIVISION

The data provided in complete from various neuroes and 15 NOT warranted as to its accuracy or sufficiency by the City of Survey. This information is provided for information and commission purposes only.

Let size, Legal descriptions and encumbrance must be confirmed at the Level Title Office.

G:(MAPPING)GIS(MAPS COEFGEATE REPORTS) Realty