

NO: R197

COUNCIL DATE: September 13, 2010

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **August 11, 2010**

FROM: **General Manager, Engineering**

FILE: **0870-20/185**

SUBJECT: **Approval of Sale of Areas Resulting from Closed Road Allowance (S&R Sawmills)
(Step 2)**

RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of the following listed areas of closed road allowance, which closures were addressed in Corporate Report No. R141; 2009 and Corporate Report No. R071; 2010, which were previously approved by Council and which are attached as Appendix I and Appendix II, respectively, to this report:

- (a) a 787.2 m² area of 189 Street located between the Canadian National (CN) Rail Line and 98A Avenue;
- (b) a 311.9 m² area of 191 Street located between the CN Rail Line and 98A Avenue; and
- (c) a 559.6 m² area of road adjacent to 9827 – 186 Street.

DISCUSSION

On July 27, 2009, Council authorized the Engineering Department (Resolution No. R09-1424 related to Corporate Report No. R141) to proceed with the closure and sale of two areas of redundant road allowance having areas of 787.2 m² (8,474 ft.²) and 311.9 m² (3,357 ft.²), respectively, with these areas to be consolidated with the adjoining S&R Sawmills land. On April 12, 2010, Council authorized the Engineering Department (Resolution No. R10-645 related to Corporate Report No. R071) to proceed with the closure and sale of an area of redundant road allowance having an area of 559.6 m² (6,023 ft.²) for the purpose of consolidating this closed area with adjacent S&R Sawmill land at 18795 – 98A Avenue and 9827 – 186 Street. Council's approval of the sale of these closed areas of road allowance is now required to complete the final step in the road closure process as stipulated in the Community Charter.

The Community Charter stipulates that Council approval to close and sell roads must be obtained on two separate occasions. The first time is at the beginning of the closure process when Council is requested to authorize the “cancellation of highway” for the areas of road allowance to be closed and consolidated. The second time is at the end of the process when Council authority is required to formally dispose of the portions of closed road allowance after all of the statutory requirements have been met. In accordance with Section 40 of the Community Charter, all the necessary requirements to dispose of these redundant portions of road allowance have been met and it is now in order for Council to authorize this last step in the road closure and sale process.

CONCLUSION

It is recommended that Council approve the sale of:

- (a) a 787.2 m² area of 189 Street located between the Canadian National (CN) Rail Line and 98A Avenue;
- (b) a 311.9 m² area of 191 Street located between the CN Rail Line and 98A Avenue; and
- (c) a 559.6 m² area of road adjacent to 9827 – 186 Street

as generally illustrated and described in the Appendices I and II.

Vincent Lalonde, P.Eng.
General Manager, Engineering

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Appendix I - Corporate Report No. R141
Appendix II - Corporate Report No. R071