



# Corporate

NO: R182

# Report

COUNCIL DATE: September 16, 2002

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|------------------------|--|-------|--------------------------|
| <b>REGULAR COUNCIL</b> |  |       |                          |
| TO:                    | <b>Mayor &amp; Council</b>                         | DATE: | <b>September 4, 2002</b> |
| FROM:                  | <b>General Manager, Engineering</b>                | FILE: | <b>0340-05</b>           |
| SUBJECT:               | <b>Road and Lane Closure &amp; Exchange Policy</b> |       |                          |

## RECOMMENDATION

That Council:

1. approve the revisions to Corporate Policy No. P-4, "Road and Lane Closure & Exchange Policy" as attached in Appendix I; and
2. authorize the City Clerk, in accordance with Section 363 of the Local Government Act, to introduce a By-law to raise the road exchange and closure application fees from \$1,500 to \$2,000 inclusive of GST.

## BACKGROUND

Policy No. P-4, which was first developed in 1978, outlines the practices and procedures for road (and lane) closures and exchanges. The policy also describes the conditions under which compensation is payable to the City and how the compensation is to be determined. The City's policy for road closures and exchanges was previously governed by the Municipal Act, and is now governed by the Local Government Act. In addition to the Local Government Act, municipalities are also guided by an August 2000, Province of BC, bulletin # A.8.0.0, entitled "Road Closure & Highway Abandonment Procedures."

## RECOMMENDED CHANGES

The proposed amendments to Corporate Policy No. P-4 conform with the provisions of the Local Government Act and the objectives as contained within the Provincial policy, bulletin # A.8.0.0. The amendments are also being recommended to ensure the policy provides a clear understanding of both the procedures for road closures and exchanges and

the City's compensation requirements. The fundamental changes to the Policy are outlined as follows:

1) Clarification of the compensation requirements.

Part A.(1)

- confirms that compensation is payable for all roads and lanes to be closed and indicates how the compensation will be calculated.

2) Exemptions from compensation requirements.

Part A.(2)

- identifies three circumstances where compensation may not be payable.

3) Application fee increase (\$1,500 to \$2,000).

Part A.(3)

- the current fees have been in place since 1991. This section of the revised policy recognizes that the fees should be increased to cover the City's current costs of processing road closures and exchanges.

4) Revision to the road closure notification process.

Part B. (2) and (3)

- reflects a recent change to the Local Government Act, which eliminated the requirement to obtain the consent of all adjoining property owners to close redundant roads.

5) Deletion of Plans Cancellation reference.

Part 8 of the Land Title Act previously dealt with plans cancellation and, in particular, adjacent landowners entitlement to annex redundant roads without paying compensation or obtaining local government approval. Part 8 was revised in 1993 to eliminate this opportunity. Consequently, Section 3 of the former Policy is now redundant.

## CONCLUSION

The revisions to Policy No. P-4 reflect recent amendments to the Local Government Act, and will also provide clear and consistent guidelines and principles regarding the City's policy for road closures and road exchanges. This amended policy also addresses the need to increase the application fees to cover the increased costs of processing road exchanges and closures. The Engineering Department recommends that the revised and updated policy No. P-4 be approved to replace the existing Policy P-4 dated July 11, 1994.

Paul Ham, P.Eng.

General Manager, Engineering

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## Appendices

- I. Revised City Policy P-4, Road and Lane Closure & Exchange Policy
- II. Road and Lane Closure & Exchange Policy P-4 – July 11, 1994
- III. Provincial Bulletin A.8.0.0 – Road Closure and Highway Abandonment Procedures