?

Corporate Report

NO: R184

COUNCIL DATE: September 8,

2003

REGULAR COUNCIL

TO: Mayor & Council DATE: September 8, 2003

FROM: General Manager, Engineering FILE: 1799-302

SUBJECT: City-Initiated Property Acquisition and Lane Closure

(12870 - 72 Avenue - Page 61)

RECOMMENDATION

That Council authorize:

- 1. the acquisition of a $\pm 4,235$ ft.² (± 393 m²) portion of PID No. 015-959-791 (12870 72 Avenue) for road:
- 2. a lane closure to close a ±5,737 ft.² (±533 m²) unopened portion of lane at 72 Avenue and 128 Street;
- 3. the City Clerk to bring forward a Road Exchange By-law for consideration by Council.

BACKGROUND

A. Property Location

The road allowance proposed for lane closure is located in the Newton area at 72 Avenue and 128 Street and is not subject to a Neighbourhood Concept Plan. The immediate area is primarily commercial with some residential uses.

B. Plan Designations, Zoning and Land Uses

The property located at 12870 - 72 Avenue is zoned RF (Single Family Residential) and is part of a school site.

The Official Community Plan designation for this area is Urban.

C. Purpose of Property Acquisition and Lane Closure

The City requires the land from the School Board to facilitate the current upgrading of 128 Street and to facilitate access to the future lane and properties on the east side of 128 Street. The School Board will use the lane closure to increase the size of the school site.

D. Process

Upon approval by Council, a reference plan will be submitted to the Legislative Services Department requesting Introduction and Adoption of a Road Closure By-law under Sections 525 and 527 of the Local Government Act. Should any concerns be raised by the public, these issues will be addressed prior to completion of the exchange. Between the Third and Final Reading of the By-law, the Legislative Services Division will advertise the City's intention to dispose of the redundant portion of lane in a local paper once each week for two consecutive weeks, and

at least 30 days before adopting a By law. After the expiration of the 30 day advertising period, the Legislative Services Division will submit an information package to the Land Title Office (LTO) and the Ministry of Transportation requesting a written response. The packages consist of a copy of a Resolution by Council, a copy of the Road Closure By-law and accompanying reference plan, and a copy of the advertisement. A copy of the written replies from LTO and MOT, along with a certified copy of the By-law and By-law Plan, three certified copies of a Petition to Council, copies of the Council Resolution, a copy of the Corporate Report, and a copy of the advertisement is then forwarded to the Ministry of Community, Aboriginal and Women's Services requesting highway abandonment and the transfer of title for the lane to the City from the Province. The City will execute transfer documents to transfer the lane on behalf of the Crown. These documents, along with a consolidation and subdivision plan, will effect the transfer of the School Board land and consolidation of lane upon registration at the Land Title Office.

E. Conclusion

The property acquisition and lane closure allows the City to proceed with the construction for the widening of 128 Street. The portion of lane to be closed and consolidated is not needed for road purposes and does not affect the surrounding area.

Paul Ham, P.Eng. General Manager, Engineering

GT/mpr/kjj

j:\property\admin\corprpts\2003\08221141-gt.doc KJJ 9/8/03 8:18 AM

Appendices

- I Site Map
- II Aerial Photograph of Site