

NO: R185

COUNCIL DATE: October 3, 2022

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **September 29, 2022**

FROM: **General Manager, Engineering** FILE: **7917-0544-00**

SUBJECT: **Approval of the Sale of a Closed Portion of Road Allowance Adjacent to 13790 Harper Road, and Contiguous to 13672, 13684, 13688, 13690, 13702, 13716, 13726, 13736, 13746 Bentley Road, 13753/55, 13775, 13781 Grosvenor Road (Step 2)**

RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of a 125.6 m² area of closed road allowance adjacent to 13790 Harper Road, and contiguous to 13672, 13684, 13688, 13690, 13702, 13716, 13726, 13736, 13746 Bentley Road, 13753/55, 13775, 13781 Grosvenor Road under previously approved terms for this closure and sale as outlined in Corporate Report No. 134; 2022, a copy of which is attached to this report as Appendix "I".

INTENT

The intent of this report is to seek Council's approval to sell the closed portion of road for consolidation with the adjacent development lands at 13790 Harper Road, and contiguous to 13672, 13684, 13688, 13690, 13702, 13716, 13726, 13736, 13746 Bentley Road, 13753/55, 13775, 13781 Grosvenor Road.

DISCUSSION

On July 11, 2022, Council authorized the Engineering Department (Resolution No. R22-1342 related to Corporate Report No. R134; 2022) to proceed with the closure and sale of a portion of redundant road allowance having an area of 125.6 m² for the purpose of allowing consolidation with and to allow subdivision of the properties known as 13790 Harper Road, and contiguous to 13672, 13684, 13688, 13690, 13702, 13716, 13726, 13736, 13746 Bentley Road, 13753/55, 13775, 13781 Grosvenor Road. Council's approval of the sale of this portion of closed road allowance is now required to complete the final step in the road closure process as stipulated by the *Community Charter*.

The *Community Charter* requires that Council's approval to close and sell road be obtained on two separate occasions. The first such approval is at the beginning of the closure process when Council is requested to authorize the "cancellation of highway" for the portion of road to be closed and consolidated. The second such approval is at the end of the process when Council's authorization is required to formally dispose of the closed portion of road after all the statutory requirements have been met. In accordance with Section 40 of the *Community Charter*, all the necessary requirements to dispose of this redundant portion 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 the closed portion of road allowance adjacent to 13790 Harper Road, and contiguous to 13672, 13684, 13688, 13690, 13702, 13716, 13726, 13736, 13746 Bentley Road, 13753/55, 13775, 13781 Grosvenor Road under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. R134; 2022.

Scott Neuman, P. Eng.
General Manager, Engineering

KT/kd/bn

Appendix "I" - Corporate Report No. R134; 2022



CORPORATE REPORT

NO: R134

COUNCIL DATE: July 11, 2022

REGULAR COUNCIL

TO: Mayor & Council

DATE: July 7, 2022

FROM: General Manager, Engineering

FILE: 7917-0544-00

SUBJECT: Closure of Road Adjacent to 13790 Harper Road, and contiguous to 13672, 13684, 13688, 13690, 13702, 13716, 13726, 13736, 13746 Bentley Road, 13753/55, 13775, 13781 Grosvenor Road

RECOMMENDATION

The Engineering Department recommends that Council authorize the City Clerk to bring forward a Bylaw to close and remove the dedication as highway of a 125.6 m² (1,352 ft.²) portion of unopened road allowance located adjacent to 13790 Harper Road, and contiguous to 13672, 13684, 13688, 13690, 13702, 13716, 13726, 13736, 13746 Bentley Road, 13753/55, 13775, 13781 Grosvenor Road, as generally illustrated in Appendix "I" attached to this report, subject to compliance with the notice provisions of the *Community Charter, SBC 2003, C. 26*.

INTENT

The intent of this report is to seek Council's approval to close and remove a portion of unopened road allowance for disposition and consolidation with the adjacent property to allow for the development of seven, 5 to 6 storey apartment buildings under Development Application No. 7917-0544-00.

BACKGROUND**Property Description**

The road allowance area proposed for closure is a 125.6 m² (1,352 ft.²) portion of unconstructed road allowance (the "Road Closure Area") that will be consolidated with the adjacent properties located at 13672, 13684, 13688, 13690, 13702, 13716, 13726, 13736, 13746 Bentley Road, 13753/55, 13775, 13781 Grosvenor Road and 13790 Harper Road (the "Adjacent Properties"). The Adjacent Properties will be consolidated into three lots to develop seven, 5 to 6 Storey apartment buildings.

Zoning, Plan Designations and Land Uses

The Road Closure Area is zoned Single Family Residential (RF) Zone and the Adjacent Properties are zoned Single Family Residential (RF) Zone and Duplex Residential (RM-D) Zone and are designated "Urban" in the Official Community Plan.

DISCUSSION

Purpose of Road Closure

The Road Closure Area is intended to be consolidated with the Adjacent Properties and rezoned under Development Application No. 7917-0544-00. This Development Application is seeking approval to rezone from Single Family Residential (RF) Zone and Duplex Residential (RM-D) Zone to Comprehensive Development (CD) Zone to permit the development of seven, 5 to 6 storey apartment buildings with up to 547 units. The proposed road closure was referenced in the July 27, 2020 Planning Report to Council related to Application No. 7917-0544-00, and the related Rezoning Bylaw was granted Third Reading by Council on September 14, 2020.

The proposed closure has been circulated to all potentially concerned City Departments for review and none have expressed objections.

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

Land Value

The applicant has agreed to provide compensation to the City equivalent to the market value of the Road Closure Area as determined by an independent accredited appraiser.

All area calculations contained in this report are approximate and subject to final survey.

SUSTAINABILITY CONSIDERATIONS

The proposed road closure supports the City's Sustainability Charter. In particular, the proposal relates to the Sustainability Charter theme of Built Environment and Neighbourhoods. Specifically, this road closure supports the following Desired Outcomes (DOs"):

- Neighbourhoods and Urban Design DO4: Surrey's neighbourhood are safe accessible, well-connected, walkable and bike friendly;
- Neighbourhoods and Urban Design DO6: Land is used efficiently and sensitively, and development minimizes the impacts on the natural environment, viewscales, agricultural land and urban wildlife; and
- Neighbourhoods and Urban Design DO8: The built environment enhances quality of life, happiness and well-being.

CONCLUSION

The Road Closure Area is deemed surplus to the City's needs. The terms of the agreement related to the disposition of the Road Closure Area are considered reasonable. It is recommended that Council authorize staff to bring forward an appropriate Bylaw to close the Road Closure Area in preparation for its sale and consolidation as generally described in this report.



Scott Neuman, P.Eng.,
General Manager, Engineering

KAM/ap

Appendix available upon request.

Appendix "1" - Aerial Photograph of Site