

NO: R067

COUNCIL DATE: April 11, 2022

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **April 7, 2022**

FROM: **General Manager, Engineering** FILE: **7918-0373-00**

SUBJECT: **Approval of the Sale of a Closed Portion of Road Allowance Adjacent to 13048 - 13 Avenue (Step 2)**

RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of a 148.8m² area, based on final survey information, of closed road allowance adjacent to 13048 - 13 Avenue under previously approved terms for this closure and sale as outlined in Corporate Report No. R172; 2021, 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 13048 - 13 Avenue.

DISCUSSION

On September 13, 2021, Council authorized the Engineering Department (Resolution No. R21-1644 related to Corporate Report No. R172) to proceed with the closure and sale of the portion of redundant road allowance having an area of 147.74 m² for the purpose of allowing consolidation with and to allow subdivision of the property known as 13048 - 13 Avenue. 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 roads 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 13048 – 13 Avenue under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. R172; 2021.

Scott Neuman, P. Eng.
General Manager, Engineering

KT/bn

Appendix “I” – Corporate Report No. R172

[https://surreybc.sharepoint.com/sites/eng.administration/wp_docs/2022/admin/cr/final/april 11/approval of the sale of closed portion of road allowance adjacent to 13048 - 13 avenue \(step 2\).docx](https://surreybc.sharepoint.com/sites/eng.administration/wp_docs/2022/admin/cr/final/april%2011/approval%20of%20the%20sale%20of%20closed%20portion%20of%20road%20allowance%20adjacent%20to%2013048%20-13%20avenue%20(step%202).docx)
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NO: *R172*

COUNCIL DATE: *September 13, 2021*

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **August 12, 2021**

FROM: **General Manager, Engineering**

FILE: **7918-0373-00**

SUBJECT: **Closure of Road Adjacent to 13048 - 13 Avenue**

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 147.74 m² (1,590.26 ft.²) portion of unopened road allowance located adjacent to 13048 - 13 Avenue, as generally illustrated in Appendix "I" attached to this report and subject to compliance with the notice provisions of Sections 26 and 94 of the Community Charter, S.B.C. 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 lands under Development Application No. 7918-0373-00.

BACKGROUND

Property Description

The area of road allowance proposed for closure is a 147.74 m² (1,590.26 ft.²) surplus portion of unconstructed 13 Avenue (the "Road Closure Area") that will be consolidated with the adjacent property located at 13048 - 13 Avenue (the "Adjacent Property") for the construction of a single-family dwelling.

Zoning, Plan Designations and Land Uses

The Road Closure Area and the Adjacent Property are currently zoned Single Family Residential (RF) 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 Property under Development Application No. 7918-0373-00 which seeks to permit the approval of a Development Permit for Hazard Lands and Sensitive Ecosystems and approval of a Development Variance Permit for the construction of a single-family dwelling. The consolidation of the road closure area will not provide for a larger dwelling; however, it will allow the building envelope to be shifted northward, reducing the depth of a retaining wall required to support the dwelling's foundation. Additionally, the applicant proposes to drill soil anchors within the proposed road closure area to increase slope stability and help support the new single-family dwelling. The Development Permit and Development Variance Permit were supported by Council on July 13, 2020, subject to the completion of the road closure process and registration of various covenants.

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

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 a qualified staff appraiser.

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

SUSTAINABILITY CONSIDERATIONS

The proposed road closure and sale supports the City's Sustainability Charter 2.0. In particular, the closure and sale of the portion of road allowance relates to the Sustainability Charter 2.0 theme of Built Environment and Neighbourhoods. Specifically, this road closure supports the following Desired Outcomes ("DO"):

- Neighbourhoods and Urban Design DO6: Land is used efficiently and sensitively, and development minimizes the impacts on the natural environment, viewsapes, 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 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/rr/cc

Appendix available upon request

Appendix "I" - Aerial Photograph of Road Closure Area and Adjacent Property

https://surreybc.sharepoint.com/sites/ENG.Administration/WP_Docs/2021/Admin/CR/Final CRs/Sept 13/Closure of Road Adjacent to 13048 - 13 Avenue.docx