

NO: R104

COUNCIL DATE: May 30, 2022

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **May 25, 2022**

FROM: **General Manager, Engineering**

FILE: **7919-0091-00**

SUBJECT: **Approval of the Sale of a Closed Portion of Road Allowance Adjacent to 10458, 10476, 10490 and 10508 - 138A Street and 10463, 10469/77, 10495 and 10505 - 139 Street (Step 2)**

RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of a 658.9 m² area, based on final survey information, of closed road allowance adjacent to 10458, 10476, 10490 and 10508 - 138A Street and 10463, 10469/77, 10495 and 10505 - 139 Street under previously approved terms for this closure and sale as outlined in Corporate Report No. Ro20; 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 10458, 10476, 10490 and 10508 - 138A Street and 10463, 10469/77, 10495 and 10505 - 139 Street.

DISCUSSION

On January 31, 2022, Council authorized the Engineering Department, through Corporate Report No. Ro20; 2022, to proceed with the closure and sale of a portion of redundant road allowance having an area of 658.6 m² for the purpose of allowing consolidation with and to allow subdivision of the properties known as 10458, 10476, 10490 and 10508 - 138A Street and 10463, 10469/77, 10495 and 10505 - 139 Street. The area related to the closure and sale has been adjusted to reflect final survey information. 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 this closed portion of road allowance adjacent to 10458, 10476, 10490 and 10508 - 138A Street and 10463, 10469/77, 10495 and 10505 - 139 Street under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. Ro20; 2022.

Scott Neuman, P.Eng.
General Manager, Engineering

ML/ap/bn

Appendix "I" – Corporate Report No. Ro20; 2022

[https://surreybc.sharepoint.com/sites/eng.administration/wp_docs/2022/admin/cr/may_30/sale_of_closed_road_allowance_138a_139_st_\(step_2\).docx](https://surreybc.sharepoint.com/sites/eng.administration/wp_docs/2022/admin/cr/may_30/sale_of_closed_road_allowance_138a_139_st_(step_2).docx)
JHS 5/26/22 10:57 AM



CORPORATE REPORT

NO: R020

COUNCIL DATE: Jan 31, 2022

REGULAR COUNCIL

TO: Mayor & Council DATE: January 20, 2022
FROM: General Manager, Engineering FILE: 7919-0091-00
SUBJECT: Closure of Road Adjacent to 10458, 10476, 10490 and 10508 - 138A Street and
10463, 10469/77, 10495 and 10505 - 139 Street

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 658.6 m² portion of unopened road allowance located adjacent to 10458, 10476, 10490 and 10508 - 138A Street and 10463, 10469/77, 10495 and 10505 - 139 Street, 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 lands under Development Application No. 7919-0091-00.

BACKGROUND

Property Description

The area of road allowance proposed for closure is a 658.6 m² portion of unconstructed road (the "Road Closure Area") adjacent to 10458, 10476, 10490 and 10508 - 138A Street and 10463, 10469/77, 10495 and 10505 - 139 Street (collectively, the "Adjacent Properties"). It is intended that the Road Closure Area become consolidated into the Adjacent Properties, to be developed into four, six-storey apartment buildings.

Zoning, Plan Designations and Land Uses

The Road Closure Area and the Adjacent Properties are currently zoned Single Family Residential (RF) Zone and are designated "Multiple Residential" in the Official Community Plan and "Low to Mid Rise up to 2.5 FAR" in the City Centre Land Use Plan.

DISCUSSION

Purpose of Road Closure

The Road Closure Area is intended to be consolidated with the Adjacent Properties and rezoned from RF to Comprehensive Development (CD) Zone (based on RM-70) under Development Application No. 7919-0091-00 to permit the development of four, 6-storey apartment buildings with 299 dwelling units. The proposed road closure was referenced in the July 26, 2021, Planning Report to Council related to Application 7919-0091-00 and the related Rezoning Bylaw was granted Third Reading by Council on September 13, 2021.

The proposed closure has been circulated to all potentially concerned City Departments for review and all are supportive of the proposal.

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 independent 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 proposal relates to the Sustainability Charter 2.0 theme of Built Environment and Neighbourhoods. Specifically, this road closure supports the following Desired Outcomes ("DO"s):

- 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 surplus to the City's needs. The terms and conditions related to the disposition of the Road closure Area are considered reasonable to consolidate with the Adjacent Properties to allow for the development of four, six-storey apartment buildings comprising 299 dwelling units under Development Application No. 7919-0091-00. The Road Closure Area is an integral component of the development and consolidation requirements, as generally described in this report.



Scott Neuman, P.Eng.
General Manager, Engineering

KSW/rr/js

Appendix available upon request.

Appendix "I" – Aerial Photograph of Site