

NO: R137

COUNCIL DATE: July 8, 2024

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **June 27, 2024**

FROM: **General Manager, Engineering** FILE: **7922-0312-00**

SUBJECT: **Long-Term Highway Licence Agreement of a Portion of the 194A Street Road Allowance**

RECOMMENDATION

The Engineering Department recommends that Council:

1. Receive this report for information;
2. Approve the execution by the General Manager, Engineering of a Highway Licence Agreement for a 99-year pre-paid term to the applicant of Development Application No. 7922-0312-00 of lands located at 2844 – 194 Street (aka 19455 – 28 Avenue); and
3. Subject to Council approval of this agreement, authorize staff to fulfill the required posting provisions of Section 26 and 94 of the *Community Charter*.

INTENT

The purpose of this report is to seek Council's approval to authorize the execution of a 99-year pre-paid Highway Licence Agreement for a portion of unopened road allowance for inclusion with the adjacent property to permit the development of 10,292 square-metre multi-tenant industrial building under Development Application No. 7922-0312-00.

BACKGROUND

Property Description

The area of road allowance proposed for licence is a 498 m² portion of road allowance (the "Licence Area") adjacent to 2844 – 194 Street (aka 19455 – 28 Avenue) (the "Adjacent Property"), as illustrated on the attached Appendix "I", to permit the development of a 10,292 square-metre multi-tenant industrial building.

Zoning, Plan Designations, and Land Uses

The Adjacent Property is zoned Intensive Agricultural (A-2) Zone, designated "Mixed Employment" in the Official Community Plan, and designated 86% "Business Park" and 13% "Landscaping Strips" in the Campbell Heights Plan.

DISCUSSION

Purpose of Highway Licence Agreement

The Licence Area will function as the east landscape buffer and setback, in part with the Adjacent Property under Development Application No. 7922-0312-00, as generally illustrated in Appendix “II” attached to this report. The Highway Licence Agreement will be assigned to the strata corporation upon filing of the strata documents.

The proposed Licence Area was referenced in the July 24, 2023 Planning Report to Council related to Development Application No. 7922-0312-00, and the application received Third Reading on September 11, 2023.

The proposed Licence Area has been circulated to all potentially concerned City departments for review and all are supportive of the proposal.

Land Value

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

Tenure

As the Licence Area is for a term of 99-years, this length of tenure is being treated as a disposition of an interest-in-land, and therefore *Community Charter* notice provisions apply. The road dedication along 194A Street fronting the Adjacent Property was provided previously to permit the development to the north to proceed, especially as it relates to fire access provisions. The Licence Area will function as a landscaping and setback buffer. As the Licence Area is dedicated road, there is no title and therefore a Highway Licence Agreement is the appropriate real estate method.

Legal Services Review

Legal Services has reviewed this report.

CONCLUSION

The Licence Area is surplus to the City’s needs. The Licence Area will be incorporated into the Adjacent Property as part of the development process. The Licence Area together with the Adjacent Property will assist in facilitating the pattern of redevelopment in this neighbourhood by providing a 10,292 square-metre multi-tenant industrial building.

Scott Neuman, P.Eng.
General Manager, Engineering

PK/kd/cc

Appendix “I” – Aerial Photograph of Site
Appendix “II” – Development Application No. 7922-0312-00 Site Plan

AERIAL PHOTOGRAPH OF SITE APPENDIX "I"







Development Application
7922-0312-00

Highway Licence Area
498 m²




LEGEND

-  Highway Licence Area
-  Development Application
-  City Lands
-  Parks

Produced by GIS Section: 19-Jun-2024

Date of Aerial Photograph: 2023

Scale: 1:1,500 



**Subject Property
2844 - 194 Street**

**ENGINEERING
DEPARTMENT**

The data provided is compiled from various sources and IS NOT warranted as to its accuracy or sufficiency by the City of Surrey.
This information is provided for information and convenience purposes only.
Lot sizes, Legal descriptions and encumbrances must be confirmed at the Land Title Office.

Source:
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