

City owned land. The lands to the north of the subject site, across 116A Avenue, are owned by the Canadian National Railway and are used as a switching yard. The City owns the lands across Surrey Road to the east.

DISCUSSION

The IHS has outgrown the old Port Mann Elementary School that they purchased in 1998 and are now proposing to construct a new facility to accommodate increased student enrolment. To ensure adequate parking and playfields for the new facility, they have submitted an offer to purchase the subject City lands. If their offer for the subject land is approved, the IHS will make application to consolidate the subject property with their land, with the completion of the sale occurring upon registration of the consolidation plan. This process will also include the closure of the lane (Appendix I) that separates the two sites, which is referred to in Recommendations 2 & 3 of this Report. Once the sale is completed, the IHS will rezone the lands to coincide with their development time frame, mostly likely 2004 - 2005.

As a condition of the proposed sale, the City will register a Restrictive Covenant (RC) on the southern 30 metres of the subject site to allow for the future reconstruction of Bon Accord Creek. This work will eventually be required for environmental mitigation in conjunction with the future construction of the SFPR and to improve the current limited capacity of the creek channel. A Statutory Right-of-Way will be registered over an additional 6 metres of the subject site to allow for access and egress to the privately owned parcel of land (14610 - 116A Avenue) located to the south of the existing school site. As well, a second Statutory Right-of-Way will also be registered over the southern 20 metres of the consolidated site (within the RC area) for future road purposes. This right-of-way will be required only if a frontage road cannot be installed to service the properties along 116A Avenue when the SFPR is constructed.

Under Sections 186 & 187 of the Local Government Act, if the City intends to dispose of lands or improvements, it must make the land or improvements available to the public for acquisition. This does not apply if the disposition is to an owner of adjoining land for the purpose of consolidation. Under this scenario the City is required to publish notice of its intention to sell the land that must include:

- a description of the land or improvements;
- the person who is to acquire the property under the proposed disposition;
- the nature, and if applicable, the term of the proposed disposition; and
- the consideration to be received by the local government for the disposition.

As the proposed sale of the subject property is at appraised value, allows for the redevelopment of a private school, and is to an adjoining owner for consolidation purposes, it is recommended that the City proceed with the sale as recommended and provide notice based on the aforementioned requirements of the Local Government Act.

CONCLUSION

In order to have adequate lands for the expansion of the Iqra Islamic School, located at 14590 - 116A Avenue, the Islamic Heritage Society has submitted an offer to purchase the subject City land. The offer is at appraised value and as a condition of the sale, the City will register the required charges to ensure that portions of the subject land are maintained for future drainage road and access purposes. As the subject lands are surplus to the City's requirements and the sale will allow for the redevelopment of the private Iqra Islamic School, it is recommended that Council approve the sale to the Islamic Heritage Society.

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Appendices

- I. Site Map
- II. Aerial Photograph of Site