



# Corporate Report

NO: R267

COUNCIL DATE: DECEMBER 12, 2005

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## REGULAR COUNCIL

TO: Mayor & Council DATE: November 22, 2005  
FROM: General Manager, Engineering FILE: 0870-20/364  
SUBJECT: Exchange of a Portion of City Parkland Located at 13860 - 84 Avenue for  
an Equal Portion of Privately-Owned Land Located at 8361 - 140 Street

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## RECOMMENDATION

That Council approve the exchange of a 714.2 m<sup>2</sup> portion of the City-owned property described as PID No. 024-531-898 (13860 - 84 Avenue) for an equal portion of the privately-owned land described as PID No. 009-254-153 (8361 - 140 Street).

## BACKGROUND

### Property Description

The City purchased the property located at 13860 - 84 Avenue by expropriation in 1998 for an extension of Bear Creek Park and to provide parking for scheduled events at Bear Creek Park. This purchase was a partial acquisition of the rear, totally encumbered portion of the parent property located at 8361 - 140 Street. This City property contains an area of 11,357 m<sup>2</sup> (2.806 acres) located in the southeast section of Bear Creek Park under BC Hydro overhead electrical power lines.

The privately-owned land located at 8361 - 140 Street is 7,237 m<sup>2</sup> (1.788 acres) in size. It was previously improved with a single family residence, which was recently demolished. It is not encumbered by the neighbouring hydro right-of-way passage.

### Zoning, Plan Designations and Land Use

Both the City property at 13860 - 84 Avenue and the privately held property at 8361 - 140 Street are zoned General Agriculture Zone (A-1), and designated Suburban in the Official Community Plan. The surrounding land uses are predominately single family residential developments, but include temple and church developments located south and north respectively of the subject lands, as well as Bear Creek Park located within the northwest quadrant of the immediate lands.

## **DISCUSSION**

The owners of 8361 - 140 Street have submitted an application to rezone its property to Public Assembly (PA-2) Zone to permit the development of a religious assembly. Due to the irregular shape of the west portion of this property, the owners have problems achieving the parking requirements for development of the property under the PA-2 zone. They have asked the City to undertake an exchange of equal portions of lands between the City property at 13860 - 84 Avenue and their property at 8361 - 140 Street.

Subject to Council approval, the parties have agreed for the applicants to transfer to the City the fee simple interest in a 714.2 m<sup>2</sup> (7,688 ft.<sup>2</sup>) triangular-shaped, unencumbered portion of the land at 8361 - 140 Street for consolidation with the City property at 13860 - 84 Avenue. The City will in return transfer to the applicants the fee simple interest in a similar shaped and exact sized portion of the City property for consolidation with the property at 8361 - 140 Street. This exchange of lands will transform two irregular-shaped land parcels into two regular, rectangular-shaped properties. It will also improve the parking arrangements on the applicants' property.

There will be no exchange of monies between the City and the applicants for the land exchange. However, the land swap will result in the loss of part of the City's asphalt public walkway currently located on the portion of land to be transferred by the City. The parties have therefore agreed that the Society will pay to the City an amount equating to the actual cost of relocating the walkway.

## **DISPOSITION PROCESS**

The Community Charter requires the City to publish notice of proposed dispositions under Section 26(2) for properties that are available to the public for acquisition and under Section 26(3) for those properties that are not available to the public for acquisition. As the 714.2 m<sup>2</sup> portion of the City property is being transferred to adjacent owners in exchange of similar land, the City will place notice of the disposition for information to the public under Section 26(3) of the Community Charter.

## **CONCLUSION**

The owners of the property located at 8361 - 140 Street have requested that the City undertake a land exchange in order to facilitate the development of a religious assembly on its property. The land exchange will improve the shape of the two land parcels and reduce the portion of the City property that is encumbered by the hydro right-of-way passage. It is recommended that Council approve the exchange of same size portions of land between the City property at 13860 - 84 Avenue and the applicants' property at 8361 - 140 Street.

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### Appendices

#### I. Aerial Photograph of Lands to be Exchanged