



Corporate Report

NO: R064

COUNCIL DATE: April 10, 2006

REGULAR COUNCIL

TO: Mayor & Council DATE: April 3, 2006

FROM: General Manager, Engineering FILE: 0910-30/70

SUBJECT: Partial Acquisition for 24 Avenue Upgrade and
King George Highway Road Closures
(15536 24 Avenue and 2348, 2358, 2360, 2372
and 2380 King George Highway)

RECOMMENDATION

That Council authorize:

1. the acquisitions of $\pm 3,961.2 \text{ ft.}^2$ ($\pm 368 \text{ m}^2$) road widenings as follows:
 - (a) a $\pm 1,022.6 \text{ ft.}^2$ ($\pm 95 \text{ m}^2$) portion of 2380 KGH (PID No. 002-478-200);
 - (b) a $\pm 688.9 \text{ ft.}^2$ ($\pm 64 \text{ m}^2$) portion of 2372 KGH (PID No. 002-478-226);
 - (c) a $\pm 118.4 \text{ ft.}^2$ ($\pm 11 \text{ m}^2$) portion of 2360 KGH (PID No. 003-024-598);
 - (d) a $\pm 2,131.3 \text{ ft.}^2$ ($\pm 198 \text{ m}^2$) portion of 15536 - 24 Avenue (PID No. 004-585-879);
2. the City Clerk to bring forward a by-law for consideration to close and remove the dedication as highway the five following portions of surplus King George Highway, totalling $6,836 \text{ ft.}^2$ (635.1 m^2):
 - (a) $\pm 1,123.7 \text{ ft.}^2$ ($\pm 104.4 \text{ m}^2$) portion of 2380 KGH (PID No. 002-478-200);
 - (b) $\pm 1,409.0 \text{ ft.}^2$ ($\pm 130.9 \text{ m}^2$) portion of 2372 KGH (PID No. 002-478-226);
 - (c) $\pm 1,481.1 \text{ ft.}^2$ ($\pm 137.6 \text{ m}^2$) portion of 2360 KGH (PID No. 003-024-598);
 - (d) $\pm 1,534.9 \text{ ft.}^2$ ($\pm 142.6 \text{ m}^2$) portion of 2358 KGH (PID No. 002-478-218);
 - (e) $\pm 1,287.4 \text{ ft.}^2$ ($\pm 119.6 \text{ m}^2$) portion of 2348 KGH (PID No. 003-024-598).

BACKGROUND

1. Property Location

The subject properties located at 15536 - 24 Avenue and 2348, 2358, 2360, 2372 & 2380 King George Highway (KGH) are situated on the northeast corner of KGH and 24 Avenue in South Surrey. These properties are improved with a gas service station, car wash facility, and an automobile sales lot.

2. Plan Designations, Zoning, and Land Uses

The properties at 2358 & 2360 KGH are zoned Self Service Gasoline Station (CG-2) Zone. The other subject properties are zoned Highway Commercial Industrial (CHI) Zone. All the subject properties are designated Commercial in the Official Community Plan.

DISCUSSION

1. Purpose of Acquisition

As part of the upgrading of 24 Avenue between 152 Street and the Highway 99 overpass, there is a requirement for a partial acquisition from the properties located at 15536 - 24 Avenue and 2360, 2372 and 2380 KGH. This section of 24 Avenue is to be upgraded to an ultimate four lane arterial road standard, with a raised centre median, curbs, sidewalks, and streetlighting.

2. Purpose of Road Closure

In conjunction with the partial acquisition and negotiations as noted above, the owners have applied to purchase the surplus boulevard land fronting their properties at 2348, 2358, 2360, 2372, and 2380 KGH. The Engineering Department's Functional Plan classifies the section of KGH between 8 Avenue and Nicomekl River as an arterial road that has resulted in a strip in each side of KGH becoming redundant. The Engineering Department therefore supports the sale of the surplus $\pm 6,836 \text{ ft.}^2$ ($\pm 635.1 \text{ m}^2$) portion of KGH adjacent to 2348, 2358, 2360, 2372 and 2380 KGH.

The road to be closed is encumbered by public utilities, including utilities owned by Terasen and BC Hydro. Prior to road disposition, a blanket right-of-way over the closed road will be registered on title to protect these services.

3. Road Closure Process

Prior to final approval of Council, a reference plan will be submitted to the Legislative Services Department requesting Introduction and Adoption of a By-law to close and remove the dedication as highway. Prior to Final Adoption of the By-law, in conformance with Sections 40 (3) and 94 of the Community Charter, notice of the closure will be advertised for two consecutive weeks in a local newspaper, and a notice will be posted at City Hall. The advertisement provides information to the public at large on the details of the closure and indicates that all pertinent data can be obtained from the Realty

Services Division. All concerns from the public will be addressed prior to completion of the closure. In addition, as required under Section 40 (4) of the Charter, notice of the City's intention to close the road will be directed to all utility companies considered to be affected by the proposed closure. Legislative Services will then request Council to provide Final Adoption of the By-law. Upon completion of these requirements, the By-law will then be registered at the Land Title Office. The Realty Services Division will then advertise the disposition of the road in a local newspaper and will post a notice at City Hall as prescribed under Sections 26 and 94 of the Charter. The advertisement and notice contain a description of the land. Upon completion of these items, a final report will be submitted to Council to approve the sale. The City will then prepare transfer documents to transfer the road to the applicant, and registration will take place at the Land Title Office.

CONCLUSION

The terms of agreement for both the partial acquisition and road disposition are considered reasonable. The partial acquisitions will facilitate the ultimate road widening of 24 Avenue, while the portions of road to be closed and consolidated are not needed for road purposes and do not affect the surrounding area. Based on the results of an independent, accredited appraisal, staff have successfully negotiated a settlement for both the partial acquisition and the road disposition, subject to Council approval.

Paul Ham, P. Eng.
General Manager, Engineering

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Appendices

I. Aerial Photograph of Site