



COUNCIL DATE: May 29, 2006

# **REGULAR COUNCIL**

TO:	Mayor & Council	DATE:	May 11, 2006
FROM:	General Manager, Engineering	FILE:	0910-30/36L 7905-0240-00
SUBJECT:	Road Closure at 3372 King George Highway	y	

## RECOMMENDATION

That Council authorize the City Clerk to bring forward a by-law for consideration to close and remove the dedication as highway of a  $\pm 5,974$  ft.<sup>2</sup> ( $\pm 555$  m<sup>2</sup>) opened portion of road fronting 3372 King George Highway.

## BACKGROUND

## **1. Property Location**

The road allowance proposed for closure is a 7.8 metre wide portion of the boulevard area fronting the property located at 3372 King George Highway (KGH) in South Surrey. The fronting property located at 3372 KGH and two other adjacent properties located at 3381 & 3399 - 148 Street (with which the road closure area will be amalgamated) are acreage lots improved with residences, but proposed for a detached compact lot, single family residential development. The immediate area along KGH is primarily commercial and multiple residential zones.

## 2. Plan Designations, Zoning, and Land Uses

The properties located at 3372 KGH, 3381 & 3399 - 148 Street are zoned One-Acre Residential Zone (RA). All three properties are designated Urban in the Official Community Plan.

## DISCUSSION

## 1. Purpose of Road Closure

The owners of the adjacent lands located at 3372 KGH, 3381 & 3399 -148 Street have applied to purchase the 7.8 metre wide strip of surplus boulevard fronting the property at 3372 KGH in conjunction with a rezoning and subdivision application of these adjacent lands (Project No. 7905-0240-00). The application is to allow a 29 lot (RF-12 and RF-9) single family residential development. The surplus strip of KGH will be used as part of the required 15 metre landscape buffer at KGH required for the proposed development.

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 on each side of KGH becoming redundant. The Engineering Department therefore supports the sale of the surplus  $\pm 5,974$  ft.<sup>2</sup> ( $\pm 555$  m<sup>2</sup>) portion of KGH fronting the property at 3372 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. The road closure area is not impacted by any heritage oak trees.

## 2. 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 portion of road to be closed and consolidated is not needed for road purposes. The terms of agreement covering the disposition of the surplus road for consolidation with the adjacent lands located at 3372 KGH, 3381 & 3399 - 148 Street are considered reasonable.

Paul Ham, P. Eng. General Manager, Engineering

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Appendices

I. Aerial Photograph of Site