



Corporate Report

NO: R250

COUNCIL DATE: December 4, 2006

REGULAR COUNCIL

TO: Mayor & Council DATE: November 23, 2006
FROM: General Manager, Engineering FILE: 7806 - 0121
SUBJECT: Lane Closure at 128 Street between 80 Avenue and 82 Avenue

RECOMMENDATION

The Engineering Department recommends that Council authorize the City Clerk to bring forward a By-law for consideration by Council to close and remove the dedication as highway a $\pm 4,147 \text{ ft.}^2$ ($\pm 385 \text{ m}^2$) portion of redundant lane located at 128 Street between 80 Avenue and 82 Avenue.

A. Property Location

The lane allowance proposed for closure is located in the West Newton area at 80 Avenue and 128 Street and is not subject to a Neighbourhood Concept Plan. The immediate area is primarily industrial with some commercial nodes.

B. Plan Designations, Zoning, and Land Uses

The adjoining properties located at 8053/63 - 120 Street 12725 and 12743 - 80 Avenue are currently zoned IL (Light Impact Industrial) and improved with warehouse units. The Official Community Plan designation for this area is Industrial.

C. Purpose of Lane Closure

The applicants have made application to the Planning and Development Department (Application No. 7906 - 0121) to rezone 12725 and 12743 - 80 Avenue from CD (Comprehensive Development) and IL (Light Industrial) to CD (Comprehensive Development). The rezoning and lane closure/consolidation will facilitate the construction of two industrial buildings with a combined floor area of 74,941 ft.^2 .

D. Land Value

The applicants have agreed to provide compensation to the City equivalent to the market value as determined by a qualified professional appraiser.

E. Process

Prior to final approval of Council, a reference plan prepared at the applicant's expense 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 portion of lane 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 portion of lane 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 will 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 portion of lane to the applicant, and registration will take place at the Land Title Office.

F. Conclusion

The lane closure allows the applicants to construct two industrial buildings with a combined floor area of 74,941 ft.². The portion of lane to be closed and consolidated is not needed for road purposes and does not affect the surrounding area.

As required under Section 40 (4) of the Community Charter, all utility companies potentially affected by the lane closure have been consulted. All have indicated that the closing of this portion of lane does not affect their services.

The terms of the proposed closure are considered reasonable and the Planning and Parks Departments support this lane closure.

Paul Ham, P.Eng.
General Manager, Engineering

GT/mpr

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Appendix I: Aerial Photograph of Site