



Corporate Report

NO: R265

COUNCIL DATE: DECEMBER 18, 2006

REGULAR COUNCIL

TO: Mayor & Council DATE: December 8, 2006
FROM: General Manager, Engineering FILE: 0910-30/92
SUBJECT: City-Initiated Lane Closure at 58 Avenue and the Cloverdale By-Pass

RECOMMENDATION

The Engineering Department recommends that Council:

1. authorize the City Clerk to bring forward a By-law for consideration by Council to close and remove the dedication as highway of a $\pm 227 \text{ m}^2$ ($\pm 2,443 \text{ ft.}^2$) portion of unopened lane located east of Highway 15 and north of 58 Avenue; and
2. rescind By-law No. 14009.

BACKGROUND

This City-initiated lane closure is located in Cloverdale between the laneway west of 176 Street and Highway 15 adjacent to the City-owned Cloverdale Shoppers' Plaza lands at 5710/5798 - 175 Street and 17750 - 58A Avenue. It is intended that the lane closure area be consolidated with a severed portion of Cloverdale Shoppers' Plaza and the northerly adjacent, vacant, City-owned land located at 17568 - 58A Avenue. The Official Community Plan designation for this area is Town Centre and the Cloverdale Town Centre NCP designation is Retail/Service Commercial.

On February 28, 2000, Council authorized a road exchange to close 303 m² of the subject unopened lane. Although By-law No. 14009 covering this road exchange was subsequently adopted, the road exchange did not proceed to completion due in part to the collapse of the proposed redevelopment of this property and subsequent requests from the Province to upgrade Highway 15 and from the City's Transportation Division to realign 58 Avenue between the laneway west of 176 Street and Highway 15. Both the disposition to the Province and dedication for the 58 Avenue extension have been completed; however, the closure of the subject lane between the laneway west of 176 Street and Highway 15 has not yet taken place.

DISCUSSION

A. Purpose of Lane Closure

City staff propose that all of the City lands located north of 58 Avenue, including this redundant lane, be consolidated to create a single, vacant lot of ± 0.59 acre for sale and redevelopment when the larger ± 6.5 acre Cloverdale Mall parent property is sold and redeveloped.

With respect to Recommendation #2, there are no longer provisions for road exchanges in the Community Charter. Accordingly, By-law No. 14009 is not appropriate for the closing of the subject 227 m^2 portion of the unconstructed lane. Consequently, By-law No. 14009 must be rescinded, and the lane closure (with an updated reference plan) must proceed in accordance with the new provisions of the Community Charter as described in the next section.

B. Process

Prior to final approval of Council, a reference plan prepared for the City 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 to raise legal title for the closed road.

CONCLUSION

The 227 m^2 portion of unconstructed lane to be closed is not needed for road purposes and does not affect the surrounding area. The unconstructed lane is intended to be consolidated with all of the adjacent City-owned land parcels located north of 58 Avenue to create a ± 0.59 acre lot for sale and redevelopment with the adjacent ± 6.5 acre Cloverdale Mall property.

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