



Corporate Report

NO: R076

COUNCIL DATE: APRIL 30, 2007

REGULAR COUNCIL

TO: Mayor & Council DATE: April 25, 2007
FROM: General Manager, Engineering FILE: 7805-0224
SUBJECT: Road and Lane Closure at 70A Avenue and 144 Street

RECOMMENDATION

The Engineering Department recommends that Council authorize the City Clerk to bring forward a by-law for First, Second, and Third Readings by Council to close and remove the dedication as highway of a $\pm 3,769 \text{ ft.}^2$ ($\pm 350.1 \text{ m}^2$) portion of 144A Street and a $\pm 2,933 \text{ ft.}^2$ ($\pm 272.5 \text{ m}^2$) portion of lane between 144 Street and 144A Street at 70A Avenue.

A. Property Location

The road allowance proposed for closure is located in the Newton area at 70A Avenue and 144 Street, and is not subject to a Neighbourhood Concept Plan. The immediate area is primarily residential.

B. Plan Designations, Zoning, and Land Uses

The adjoining properties located at 7078, 7094, 7112, 7130 and 7160 - 144 Street & 7075 - 144A Street and 7080 - 144A Street are currently zoned RA (One Acre Residential) and are improved with older, single family residences. The Official Community Plan designation for this area is Urban.

C. Purpose of Road Closure

A developer has made application to the Planning and Development Department (7905-0224-00) to rezone 7078, 7094, 7112, 7130 and 7160 - 144 Street & 7075 - 144A Street and 7080 - 144A Street from One Acre Residential (RA) to Multiple Residential 30 (RM-30), Semi Detached Residential (RF SD), Single Family Residential (9) Coach House (RF-9C), and Single Family Residential 12 (RF-12). Upon rezoning of these properties, the $\pm 3,769 \text{ ft.}^2$ ($\pm 350.1 \text{ m}^2$) portion of 144A Street and the $\pm 2,933 \text{ ft.}^2$ ($\pm 272.5 \text{ m}^2$) portion of lane will be closed and consolidated to facilitate the residential component of the proposed development.

D. Land Value

The developer has 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 road and lane closures 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 closures. In addition, as required under Section 40 (4) of the Charter, notice of the City's intention to close the portions of road and 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 these portions of road and 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 portions of road and lane to the applicant, and registration will take place at the Land Title Office.

F. Conclusion

The road closure allows the developer to proceed with the proposed single family residential and multi family development. The portions of road and lane to be closed and consolidated are not needed for road purposes and do not affect the surrounding area.

As required under Section 40 (4) of the Community Charter, all utility companies potentially affected by the closing of these portions of road and lane have been consulted. All have indicated that the closing of the portions of road and lane do not affect their services.

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

Paul Ham, P. Eng.
General Manager, Engineering

GT/mpr

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