



Corporate Report

NO: R078

COUNCIL DATE: APRIL 30, 2007

REGULAR COUNCIL

TO: Mayor & Council DATE: April 24, 2007
FROM: General Manager, Engineering FILE: 7805-0378
SUBJECT: Road Closure at 59 Avenue and 151 Street

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 of two portions of a cul-de-sac located at 59 Avenue and 151 Street containing $\pm 5,294 \text{ ft.}^2$ ($\pm 492 \text{ m}^2$).

A. Property Location

The road allowance proposed for closure is located in the South Newton area at 59 Avenue and 151 Street and is subject to the South Newton Neighbourhood Concept Plan. The immediate area is primarily residential.

B. Plan Designations, Zoning, and Land Uses

The adjoining properties located at 15031, 15057, 15080, 15091, 15098, 15108 and 15115 - 59 Avenue & 15038 - 60 Avenue are currently zoned RA (One Acre Residential) and are improved with older, single family residences. The Official Community Plan designation for this area is Multi Family Residential and Urban.

C. Purpose of Road Closure

A developer has made application to the Planning and Development Department (7905-0378-000) to rezone these properties from RA (One Acre Residential) to RF-9C (Single Family Residential Coach House), RF-12 (Single Family Residential 12), and RF (Single Family Residential). Upon the rezoning of these properties, the two portions of a cul-de-sac will be closed and consolidated with the properties to facilitate a 71 single family residential subdivision.

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 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 portions of 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 portions of 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 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 to the applicant, and registration will take place at the Land Title Office.

F. Conclusion

The closure of these portions of road allows the developer to proceed with the 71 single family residential subdivision. The portions of road 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 road closure have been consulted. All have indicated that the closing of these portions of road do not affect their services.

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

Paul Ham, P. Eng.
General Manager, Engineering

GT/mpr

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Appendix I: Aerial Photograph of Site