



Corporate Report

NO: R094

COUNCIL DATE: June 16, 2008

REGULAR COUNCIL

TO: Mayor & Council DATE: June 10, 2008
FROM: General Manager, Engineering FILE: 0910-30/129
SUBJECT: Road Closure at 137B Street between 96 Avenue and 96A Avenue

RECOMMENDATION

The Engineering Department recommends that Council authorize the City Clerk to bring forward a by-law to close and remove the dedication as highway of a portion of 137B Street between 96 Avenue and 96A Avenue containing an estimated area of $\pm 9,495 \text{ ft.}^2$ ($\pm 882 \text{ m}^2$).

A. Property Location

The road allowance proposed for closure is located in the Surrey City Centre area at 96 Avenue and 137B Street. The immediate area is a combination of single-family residential-zoned properties, which are vacant and are currently being used for surface parking. The area to the south is also zoned for single-family residential uses while the Surrey Memorial Hospital is located further south on the south side of 96 Avenue. The area to the north is being developed under a CD zone (Comprehensive Development) with a 227-bed care facility.

B. Plan Designations, Zoning, and Land Uses

The adjoining properties located at 9631 / 9637 / 9647- 137B Street and 9632 / 9640 / 9648 - 137A Street are currently zoned RF (Single Family Residential Zone) and are vacant. The Official Community Plan (OCP) designation for this area is Commercial. The City's Transportation Plan identifies the extension of 138 Street north along the alignment of the transmission line as the future north-south road link for this area.

C. Purpose of Road Closure

A developer has made application to the Planning and Development Department (7908-0002-00) to amend the OCP and rezone the subject properties from RF (Single Family) Zone to a CD (Comprehensive Development) Zone to permit the development of a 164-bed senior care facility. Upon the rezoning of this property, an estimated area of $\pm 9,495 \text{ ft.}^2$ ($\pm 882 \text{ m}^2$) of 137B Street will be closed and consolidated with the development site to facilitate the development of the proposed care facility.

D. Land Value

The developer has agreed to provide compensation to the City equivalent to the market value of the land 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 closures 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 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 will be directed to all utility companies considered to be affected by the proposed closures. 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 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 road closure allows the applicant to proceed with a proposed development of a 164-bed senior care facility under a CD (Comprehensive Development) Zone. The portion of road to be closed and consolidated does not have an effect on the immediate area. The remaining portion of 137B Street will be retained for access to 9611 - 137B Street and 13845 - 96 Avenue.

As required under Section 40 (4) of the Community Charter, all utility companies potentially affected by the closing of these portions of road have been consulted. Those who are affected by the road closure have requested that a right-of-way be placed to protect their utility services.

The terms of the proposed closure are considered reasonable, and the Planning and Development Department and the Parks, Recreation and Culture Department support this road closure.

Paul Ham, P. Eng.
General Manager, Engineering

DM/PH/BW/mpr/brb

j:\property\admin\corprpts\2008\05301530-bw.doc
BRB 7/15/10 4:12 PM