

Corporate Report

NO: R164

COUNCIL DATE: September 8, 2008

REGULAR COUNCIL

TO: Mayor & Council DATE: September 2, 2008

FROM: General Manager, Engineering FILE: 0910-30/128

SUBJECT: Lane Closure adjacent to 13656 - 102 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 $\pm 5,759$ ft.² (535 m²) lane located directly west of 13656 - 102 Avenue.

A. Property Location

The lane allowance proposed for closure is located in the Surrey City Centre area at 102 Avenue and East Whalley Ring Road. The surrounding properties to the immediate north, south, and west are improved with commercial buildings, while to the immediate east, across East Whalley Ring Road, are a number of low-rise rental apartment complexes.

B. Plan Designations, Zoning, and Land Uses

The adjoining vacant property located at 13656 - 102 Avenue is zoned C-8 (Community Commercial). The Official Community Plan designation for this area is Commercial. The sites to the east are zoned RM-45 (Multiple Residential 45 Zone). Approximately one block west of the subject site is the Central City office tower and the Simon Fraser University campus. The site is within walking distance of two SkyTrain stations (City Centre Station and King George Station). Overall, the area immediately around the subject lane is fully developed with commercial developments, and the areas west and south of the lane are rapidly developing and improving with a variety of high-density comprehensive projects.

C. Purpose of Lane Closure

The owner of 13656 - 102 Avenue has made application to the Planning and Development Department (7908-0078-00) for a development permit to construct a single story retail and office building built to "LEED" (Leadership in Energy and Environmental Design) Gold standard. The developer is proposing to close and consolidate the $\pm 5,759$ ft.² lane with their site to enhance the proposed office building development.

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 by Council, a reference plan prepared at the applicant's expense will be submitted to the Legislative Services Department to allow Introduction 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 lane 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 lane will be directed to all utility companies considered to be affected by the proposed closure. Upon completion of these requirements including adoption of the By-law, the By-law will be registered at the Land Title Office. The Realty Services Division will then advertise the disposition of this 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 lane to the purchaser, and registration will take place at the Land Title Office.

F. Conclusion

The subject lane closure will allow the applicant to proceed with a proposed development of a retail and office building. The lane to be closed and consolidated has been deemed to be redundant and the closure will not have a negative effect on the immediate area.

As required under Section 40 (4) of the Community Charter, all utility companies potentially affected by the closing of this lane have been consulted and a right-of-way will be placed on the property to protect utility services that will remain.

The Planning and Development Department and the Parks, Recreation and Culture Department both support this lane closure.

Based on the above, it is recommended that Council authorize the City Clerk to bring forward a by-law to close and remove the dedication as highway of a $\pm 5,759$ ft.² (535 m²) lane located directly west of 13656 - 102 Avenue.

Vincent Lalonde, P. Eng. General Manager, Engineering

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