

NO: *R160* COUNCIL DATE: *Sept. 14/09*

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**REGULAR COUNCIL**

TO: **Mayor & Council** DATE: **September 9, 2009**  
FROM: **General Manager, Engineering** FILE: **0910-30/158**  
SUBJECT: **Lane Closure Adjacent to  
10156 & 10168 - 132 Street and 13230 & 13238 Old Yale Road**

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**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 244.7 m<sup>2</sup> (2,634 ft.<sup>2</sup>) of lane south of 10156 & 10168 - 132 Street and 13230 & 13238 Old Yale Road.

**BACKGROUND**

1. **Property Location**

The lane allowance proposed for closure is a 3 metre wide unconstructed public lane adjacent to the south boundary line of the assembled properties located at 10156 & 10168 - 132 Street and 13230 & 13238 Old Yale Road.

2. **Plan Designations, Zoning, and Land Uses**

The lane closure area and the adjacent lands at 10156 & 10168 - 132 Street and 13230 & 13238 Old Yale Road are currently zoned Single Family Residential (RF) Zone, and designated as Multiple Residential in the Official Community Plan.

**DISCUSSION**

1. **Purpose of Road Closure**

The lane closure area and the adjacent lands at 10156 & 10168 - 132 Street and 13230 & 13238 Old Yale Road are the subjects of a rezoning and subdivision application (Project No. 7908-0250-00) to facilitate the development of a four-storey apartment building with a two-storey townhouse base. The proposed lane closure was identified in the April 20, 2009 Planning Report to Council regarding the referenced development application and the related rezoning by-law received Third Reading on May 4, 2009.

All City Departments that may have an interest in the lane have reviewed the closure and no objections have been expressed in relation to the disposition of the subject portion of unconstructed lane.

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 all have expressed no concerns regarding the proposed lane closure.

2. Land Value

The applicants have agreed to provide compensation to the City equivalent to the market value of the land as determined by a qualified appraiser.

3. Road Closure Process

Prior to final approval of Council, a reference plan will be submitted to the Legislative Services Department requesting introduction and adoption of a by-law to close and remove the dedication as highway of the subject portion of road. 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 will provide information to the public at large about the details of the closure and will indicate that all pertinent information 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 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 be registered at the Land Title Office. The Realty Services Division will then advertise the disposition of the road in a local newspaper and will post a notice at City Hall as prescribed under Sections 26 and 94 of the Community Charter. The advertisement and notice contain a description of the land. Upon completion of these postings, a final report will be submitted to Council to approve the sale of the closed road. Staff will then prepare transfer documents to transfer the road to the purchaser, and consolidation and registration will take place at the Land Title Office.

**CONCLUSION**

The portion of lane to be closed and consolidated with adjacent properties is not needed for road purposes. The terms of the agreement covering the disposition of the surplus lane for consolidation with the adjacent lands at 10156 & 10168 - 132 Street and 13230 & 13238 Old Yale Road are considered reasonable. It is noted that all area calculations contained in this report are approximate and subject to final survey.



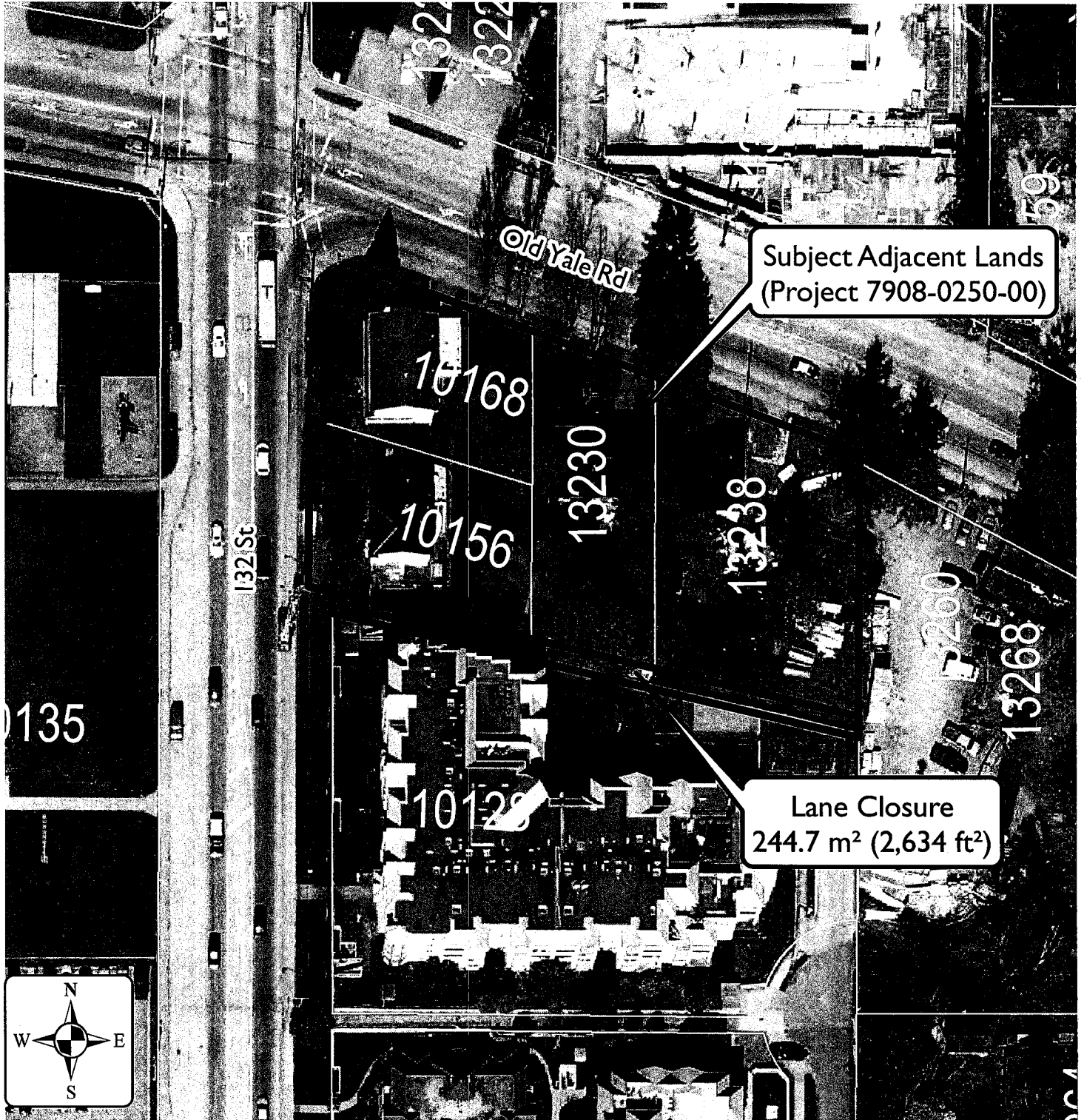
Vincent Lalonde, P. Eng.  
General Manager, Engineering

AW/mpr/brb

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Appendix I - Aerial Photograph of Site

# APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: August 24, 2009, JJR

Date of Aerial Photography: April 2008



**LANE CLOSURE**  
**FILE: 0910-30/158**  
**PROJECT: 7908-0250-00**

**GIS  
SECTION**

The data provided is compiled from various sources and IS NOT warranted as to its accuracy or sufficiency by the City of Surrey.  
This information is provided for information and convenience purposes only.  
Lot sizes, Legal descriptions and encumbrances must be confirmed at the Land Title Office.

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