

NO: R036

COUNCIL DATE: March 1, 2010

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **February 9, 2010**

FROM: **General Manager, Engineering** FILE: **0910-40/169**

SUBJECT: **Sale of Surplus City Land at 14546 - 72A Avenue and Surplus Portion of the Adjacent 145A Street Road Allowance**

RECOMMENDATION

The Engineering Department recommends that Council:

1. authorize the City Clerk to bring forward a by-law to close and remove the dedication as highway of a 146 m² (1,570 ft.) portion of 145A Street adjacent to the City property located at 14546 - 72A Avenue all as illustrated in Appendix I; and
2. authorize the sale of the 146 m² road closure land and the adjacent 364 m² City lot at 14546 - 72A Avenue (PID No. 010-340-661) subject to the consolidation and rezoning of these lands as described in this report and the notice provisions under of the Community Charter, SBC, Chap. 6.

BACKGROUND

In 1975 the City acquired the property at 14546 - 72A Avenue for road purposes. In 1989 the east half of the lot was dedicated to establish the west half of 145A Street resulting in a 10 metre wide remainder lot. Subsequently, the East Newton North NCP was adopted, which identified that the west 4 metres of the dedicated 145A Street half road allowance was surplus to the City's needs, while the easterly 6 metres of the half road allowance is required as a lane to provide access for the residential lots that front on 72 Avenue (see attached map in Appendix I).

1. **Property Location**

The vacant City property at 14546 - 72A Avenue and the adjacent 145A Street are located in the East Newton North NCP Area. They are surrounded primarily by residential properties, with the exception of the Valley View Cemetery located on the south side of 72 Avenue and a legal, non-conforming flower and gift shop business located southeast of the subject City lands.

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

The subject City property and the adjacent road that is proposed to be closed are zoned One Acre Residential Zone (RA) and are designated as "Urban" in the Official Community Plan and as "Urban Residential" in the East Newton North NCP.

DISCUSSION

1. Purpose

It is proposed that the vacant City property and the surplus portion of 145A Street be sold to the owner of the adjacent property at 14536 - 72A Avenue. The City land even if it is consolidated with the surplus road allowance does not meet the minimum dimensions required by the RF to create a building lot. Therefore, consolidation with a portion of the adjacent property is required to create a buildable lot.

The owners at 14536 – 72A Avenue have expressed an interest in buying the City lands and have applied to acquire the surplus City land and surplus road allowance for consolidation with their property to create a single family lot. City staff have negotiated the sale of the subject City lands with the applicant at a price that reflects market value. The sale is subject to the buyer obtaining subdivision approval and rezoning the proposed building lot from RA to RF.

2. Disposition Process

Section 26(2) and (3) of the Community Charter requires the City to publish notice of any proposed disposition of land. The subject City lands are being sold for consolidation with the adjacent land at 14536 - 72A Avenue, and it is therefore not necessary that the City offer the property to the public at large. The City will, however, publish a public notice of the proposed sale.

3. Road Closure Process

Prior to final approval by 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. 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 road will be directed to all utility companies considered to be affected by the proposed closure. Legislative Services will then request Council to give Final Adoption to the road closure by-law. Upon completion of these requirements, the road closure by-law will then be registered at the Land Title Office to obtain a legal title for the closed road.

The buyer will concurrently proceed with due diligence to obtain the adoption of a by-law to rezone the proposed building lot from RA to RF and approval of the subdivision plan. Following the adoption of the rezoning by-law and the approval of the subdivision plan, the City will transfer the titles to its lands, and the registration of the transfer documents will occur concurrently with the filing of the approved subdivision plan.

SUSTAINABILITY CONSIDERATIONS

The proposed road closure and land sale supports the Sustainability Charter's economic goal of using the City's land base efficiently and increasing the density of development.

CONCLUSION

The subject City lot at 14546 - 72A Avenue and the adjacent westerly 4 metre portion of 145A Street are surplus to the City's needs. The terms of the sale agreement covering the disposition of these lands are considered reasonable. It is recommended that Council authorize staff take the actions as described in this report to complete the sale of these lands.

Vincent Lalonde, P.Eng.
General Manager, Engineering

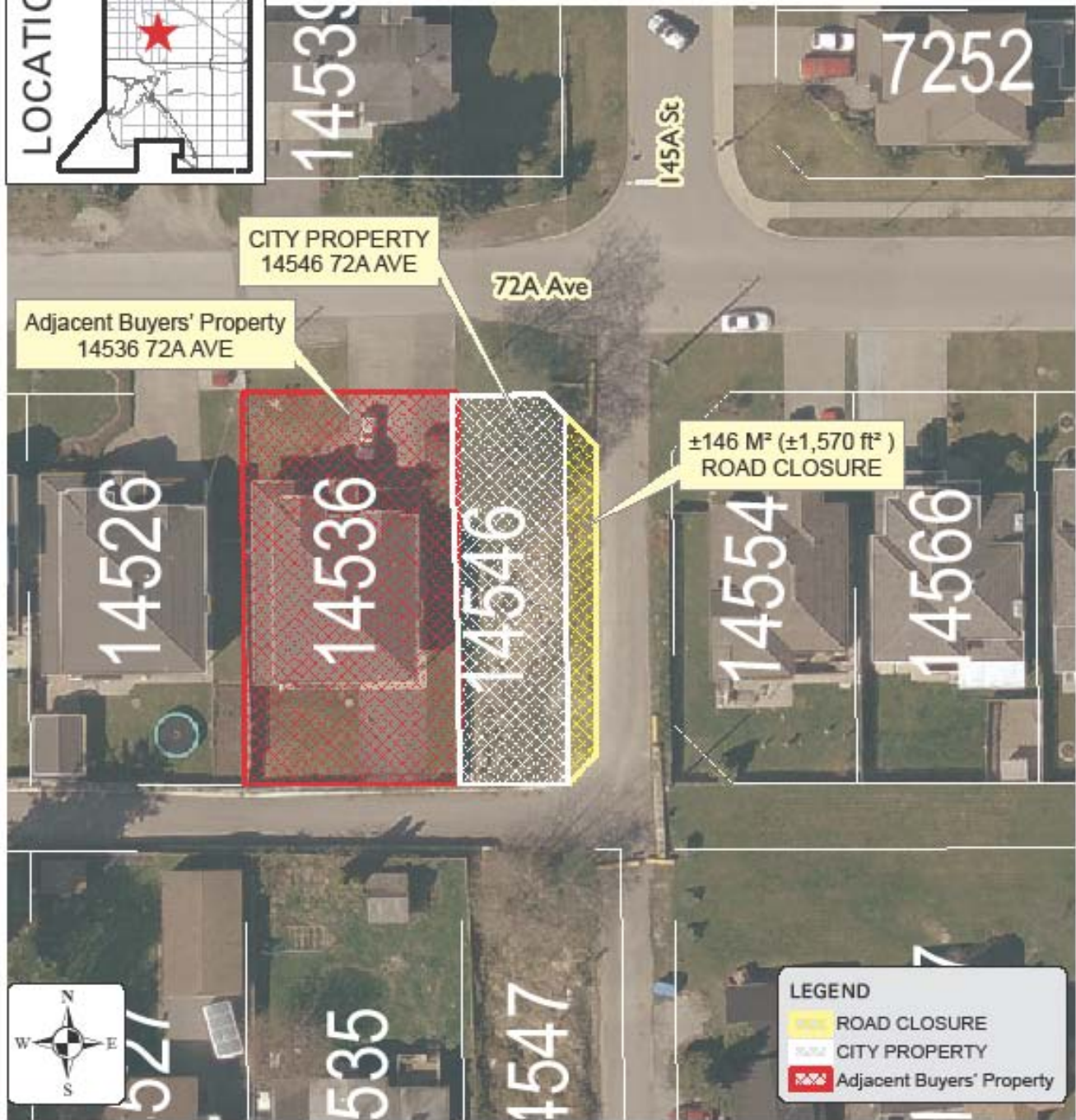
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Appendix I – Aerial Photo of Site

APPENDIX I AERIAL PHOTOGRAPH OF SITE

LOCATION



CITY PROPERTY
14546 72A AVE

Adjacent Buyers' Property
14536 72A AVE

±146 M² (±1,570 ft²)
ROAD CLOSURE



LEGEND

- ROAD CLOSURE
- CITY PROPERTY
- Adjacent Buyers' Property

Produced by GIS Section: February 3, 2010, JJR

Date of Aerial Photography: April 2009



**SALE OF CITY PROPERTY AT
14546 72A AVE
ROAD CLOSURE AREA OF ±146 M²**

**ENGINEERING
DEPARTMENT**

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.