

NO: R123

COUNCIL DATE: June 7, 2010

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **May 21, 2010**

FROM: **General Manager, Engineering**

FILE: **0910-40/106**

SUBJECT: **Closure and Sale of Road Allowance and Surplus City Land adjacent to 13111 King George Boulevard**

RECOMMENDATION

The Engineering Department recommends that Council:

1. authorize the City Clerk to bring forward a by-law to close and sell a 1,165 m² unopened portion of 113A Avenue and a 805 m² unopened portion of 131 Street both adjacent to 13111 King George Boulevard; and
2. authorize the sale of a surplus piece of City land having an area of 281 m² adjacent to 13111 King George Boulevard;

as illustrated in Appendix I, for the purpose of consolidating these various lands with 13111 King George Boulevard.

BACKGROUND

1. Property Location and Description

The portions of unconstructed road allowance and surplus City land are located adjacent to the property at 13111 King George Boulevard as illustrated on Appendix I. The property at 13111 King George Boulevard is a 1.07 ha (2.65 acre) vacant property that is currently the subject of rezoning and subdivision applications (7906-0301-00) for the purpose of allowing the development of a multi residential townhouse project. As part of the development application process, 113A Avenue is being realigned and portions of road allowance and City land will become surplus. These portions cannot be developed independently and should be consolidated with the site at 13111 King George Boulevard.

2. Zoning, Plan Designations, and Land Uses

The property at 13111 King George Boulevard is presently zoned Single Family Residential Zone (RF) and designated Urban in the Official Community Plan. An adjacent property to the south has recently been developed for multi residential townhouses, similar to the use proposed for the subject site.

DISCUSSION

1. Purpose of the Road Closure

The two portions of road allowance proposed for closure are intended to be consolidated with the proposed development site.

2. Road Closure Process

Prior to final approval of Council, a reference plan will be submitted to the Legislative Services Division along with a request a by-law be introduced and given readings to close and remove the dedication as highway of the subject portions of road allowance. 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 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 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 40(3) and 94 of the Community Charter. The advertisement and notice will contain a description of the land. Upon completion of these postings, a final report will be submitted to Council to obtain approval to sell the closed road allowance areas. Staff will then prepare transfer documents to transfer these areas to the purchaser, and consolidation and registration will take place at the Land Title Office.

3. Sale of Surplus City Land

Portions of City land located at 13130, 13132, and 13140 – 113B Avenue is surplus to the City. These areas are illustrated in Appendix I. Due to the steep topography of this area, the City designed a new road that would travel from the corner of 132 Street and 113A Avenue to link with 128 Street/Bridgeview Drive. The design of this road is such that upon construction a small portion of City property having an area of 281 m² will be isolated from the parent parcel. The sale of this 281 m² area to the owner of adjacent land at 13111 King George Boulevard property is the most practical means to ensure the development of this small area. Its sale would be advertised in conformance with Sections 26 and 94 of the Community Charter.

4. Land Value

The developers of 13111 King George Boulevard have agreed to provide compensation equivalent to the market value of the lands as determined by a qualified independent appraiser.

5. Sustainability Considerations

The proposed sale of City land rendered surplus by a proposed future road realignment will support the Sustainability Charter's economic goal of using the City's land base efficiently.

CONCLUSION

The closure and sale of portions of surplus road allowance and the sale of surplus City land as described in this report are considered reasonable. Completion of the sale will be subject to the provisions of the Community Charter and final approval of the rezoning by-law related to the development application regarding 13111 King George Boulevard.

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General Manager, Engineering

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Appendices

I. Aerial Photo of Site

