

NO: R126

COUNCIL DATE: June 7, 2010

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## REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **June 3, 2010**

FROM: **General Manager, Engineering**

FILE: **0910-30/168**

SUBJECT: **Closure of Lane Adjacent to 1144 - 164 Street**

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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 a 77.6 m<sup>2</sup> (835 ft.<sup>2</sup>) portion of lane allowance adjacent to 1144 - 164 Street as illustrated on Appendix 1 attached to this report.

## BACKGROUND

### 1. Property Location

The 77.6 m<sup>2</sup> lane allowance area proposed for closure is 3 metres wide, unconstructed and located along the east property line of 1144 - 164 Street in South Surrey.

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

The lane closure area and the adjacent property at 1144 - 164 Street are currently zoned Duplex Residential (RM-D) Zone and are designated as "Urban" in the Official Community Plan. The closed portion of the lane is to be consolidated with 1144 - 164 Street and the consolidated site is to be rezoned to Single Family Residential (RF) Zone under Application No. 7910-0005-00.

## DISCUSSION

### 1. Purpose of Road Closure

The lane closure area and the adjacent land at 1144 - 164 Street are to be consolidated, rezoned and subdivided under Application No. 7910-0005 to permit the creation of two single family lots. The lane closure was identified in the May 3, 2010 Planning Report to Council related to the subject application and the related rezoning by-law was given Third Reading on May 17, 2010.

All concerned City departments have reviewed the proposed lane closure and have no objections to its closure or disposition to the owners of 1144 - 164 Street.

As required under Section 40 (4) of the Community Charter, all utility companies potentially affected by the closing of this lane allowance have been consulted and none has expressed any concerns.

## 2. Land Value

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

It is noted that all area calculations contained in this report are approximate and subject to final survey.

## 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 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 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 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.

## SUSTAINABILITY CONSIDERATION

The proposed lane closure and sale supports the Sustainability Charter's economic goal of using the City's land base efficiently and this contributes to the City's financial sustainability. It also supports the broad Charter intent of appropriate land uses throughout the City. In particular, the lane closure supports the Sustainability Charter Scope action related to EC<sub>1</sub> - Corporate Economic Sustainability.

## CONCLUSION

The portion of lane to be closed and consolidated is not needed for City purposes. The terms of the agreement covering the disposition of the surplus lane allowance and its consolidation with the property at 1144 - 164 Street are considered reasonable.

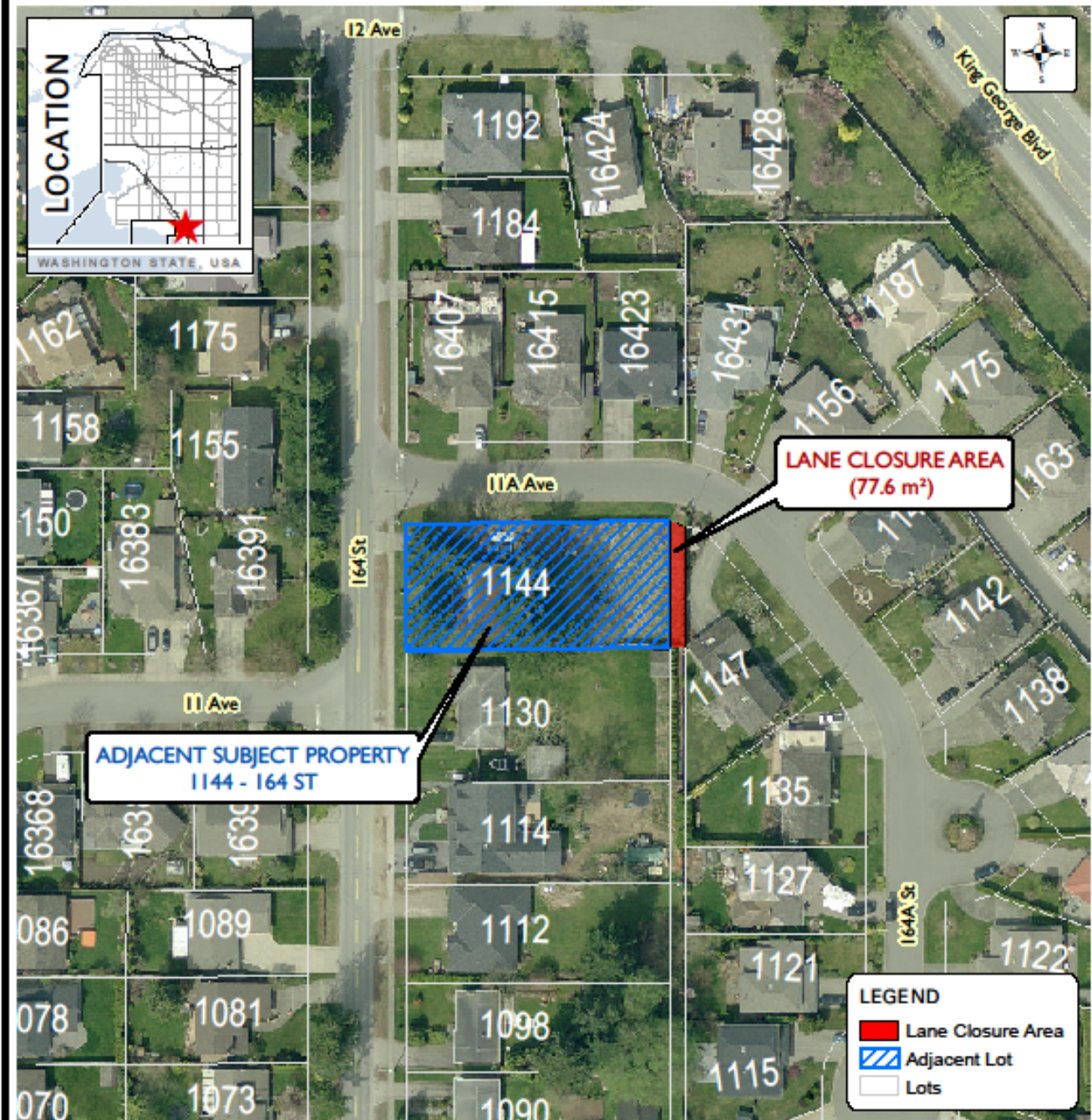
Vincent Lalonde, P.Eng.  
General Manager, Engineering

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Appendix I - Aerial Photograph of Site

# APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: May 18, 2010, AW

Date of Aerial Photography: April 2009



## LANE CLOSURE ADJACENT TO 1144 - 164 STREET

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.

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