

NO: R017      COUNCIL DATE: January 24, 2011

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## REGULAR COUNCIL

**TO: Mayor & Council**      **DATE: January 20, 2011**

**FROM: General Manager, Engineering**      **FILE: 0910-20/333**  
**General Manager, Parks, Recreation & Culture**

**SUBJECT: Closure and Sale of Surplus Parkland at 13550 – 24 Avenue**

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## RECOMMENDATION

The Engineering Department and the Parks, Recreation and Culture Department recommend that Council:

- (i) approve the closure and sale of a 497 m<sup>2</sup> of surplus parkland at 13550 – 24 Avenue , as generally illustrated on Appendix I attached to this report, for the purposes of consolidating this land with the adjacent property at 13555 – 23A Avenue; and
- (ii) authorize the City Clerk to bring forward the necessary closure by-law for the required readings.

## BACKGROUND

The parkland property at 13550 – 24 Avenue is an irregular-shaped parcel having an area of 855 m<sup>2</sup> and located at the easterly boundary of the lot on which the Elgin Secondary School is located (see Appendix I). It was dedicated for park during the subdivision of the surrounding land in 1996. This park property was originally developed as a passive grassed area with a pathway located along the frontage parallel to 24 Avenue.

In 2005 the southerly 497 m<sup>2</sup> area of the park property was determined to be surplus and the City granted a licence of occupation to the owners of the adjacent residence at 13555 – 23A Avenue to allow the land to be used as additional rear yard in conjunction with that residence. The licensed area has since been fenced and integrated into the yard of the residence at 13555 – 23A Avenue. The frontage strip of the park property remained in the City's possession and is used as boulevard land with a public pathway constructed on it.

## DISCUSSION

### 1. Reason for the Park Closure

The southerly 497 m<sup>2</sup> area of the dedicated park property at 13550 – 24 Avenue has no recreational value. The individual who holds the license to use the property has requested that the City sell him the land. The Parks, Recreation, and Culture Department has confirmed that this portion of parkland is surplus to the City's needs and supports the sale. The Planning and Development Department is supportive of the sale.

The City will retain ownership of a 358 m<sup>2</sup> remainder area of park property for continued use as boulevard and walkway along 24 Avenue.

### 2. Land Value

The City will receive compensation equivalent to the increase in value to the adjacent property at 13555 – 23A Avenue that results from the consolidation. The funds received will be placed in the Parkland Acquisition Fund, where they will be available for the purchase of other needed parkland.

### 3. Park Closure Process

Subject to Council approval, a reference plan will be submitted to the Legislative Services Department requesting the introduction and adoption of a park closure by-law to dispose of the parkland. In accordance with Section 27 of the Community Charter, the City must obtain approval of the electors to a park closure by-law. The City will seek the approval of the electors by alternative approval process under Section 86 of the Community Charter after third reading of the By-law. The By-law will be advertised for two consecutive weeks in a local newspaper in accordance with Section 94 of the Community Charter, and the advertisement will give a deadline date of 30 days from the second advertisement for the submission of elector responses. After the deadline date, Council will be asked to give Final Adoption to the by-law, unless 10% or more of the electors object to the By-law.

Upon Final Adoption, the park closure by-law will be registered at the Land Title Office to obtain a legal title for the closed parkland. The Realty Services will advertise the disposition of the land in a local newspaper and will post a notice at City Hall as prescribed under Sections 26 and 94 of the Charter. The City will transfer the land upon approval of a subdivision plan and finalization of any other planning requirements. The registration of the transfer documents will occur concurrently with the filing of the approved subdivision plan.

### 4. Sustainability Considerations

The proposed land sale contributes to the City's financial sustainability and supports the broad Sustainability Charter objective of ensuring that land is used for appropriate uses. In particular, the sale supports the sustainable Charter scope action related to EC<sub>1</sub> – Corporate Economic Sustainability.

## CONCLUSION

A 497 m<sup>2</sup> area of park property located at 13550 – 24 Avenue, as illustrated on Appendix I, has no recreational value and is surplus to the City's needs. It is recommended that Council approve the closure and sale of this parkland for the purpose of consolidation with the adjacent lot at 13555 – 23A Avenue.

Laurie Cavan  
General Manager  
Parks, Recreation & Culture

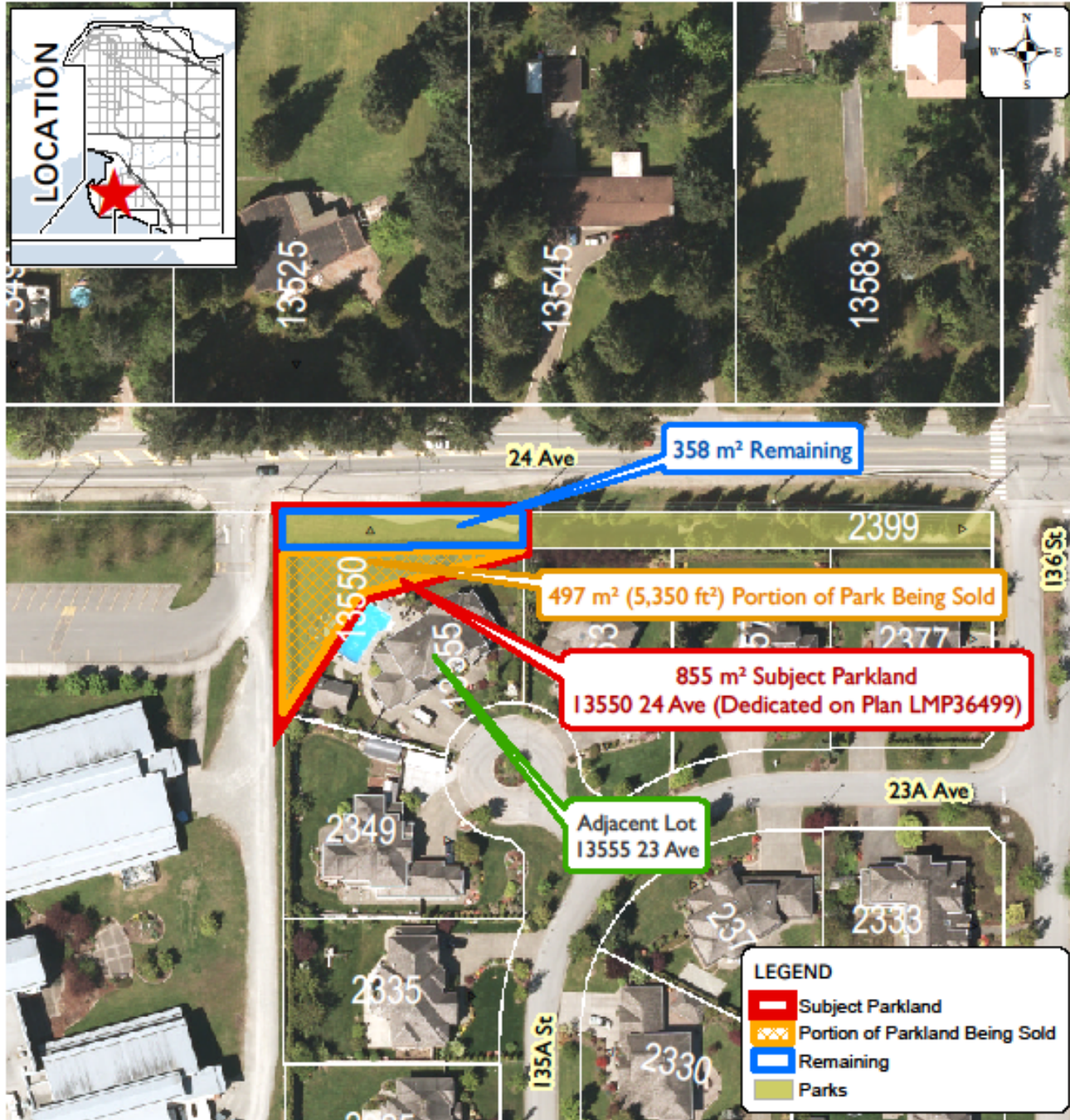
Vincent Lalonde, P.Eng.  
General Manager, Engineering

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Appendix I - Aerial Photograph of Site

# APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: January 20, 2011, JJR

Date of Aerial Photography: May 2010



**SUBJECT PROPERTY**  
13550 - 24 AVENUE  
FILE: 0870-20/333

**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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