

# CORPORATE REPORT

NO: R214 COUNCIL DATE: November 28, 2011

**REGULAR COUNCIL** 

TO: Mayor & Council DATE: November 23, 2011

FROM: General Manager, Engineering FILE: 0910-30/158

SUBJECT: Sale of Closed Public Lane Adjacent to

10156 & 10168 - 132 Street and 13230 & 13238 Old Yale Road

#### RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of the 244.7 m<sup>2</sup> (2,634 ft.<sup>2</sup>) parcel of land (PID No. 028-134-761), being a closed public lane south of 10156 & 10168 – 132 Street and 13230 & 13238 Old Yale Road, as generally illustrated on Appendix I, subject to compliance with the notice provisions under Sections 26 and 94 of the Community Charter, SBC, 2003, Chap. 26.

#### **BACKGROUND**

On September 14, 2009, Council authorized the Engineering Department to proceed with the cancellation as highway of a 244.7 m² (2,634 ft.²) portion of public lane south of 10156 & 10168 – 132 Street and 13230 & 13238 Old Yale Road for development with the adjacent lands under Project No. 7908-0250-00 (Corporate Report No. R160; 2009 attached as Appendix II to this report). Following the satisfaction of all the statutory requirements for the closure and sale of the lane and as the second step to the road closure process, on March 22, 2010, Council authorized the sale of the newly titled lane to the developer of the adjacent land under Project No. 7908-0250-00 (Corporate Report No. R054; 2010 attached as Appendix III to this report). The developer subsequently sold the adjacent lands and did not complete the acquisition of the closed lane. This Corporate Report addresses the terms and conditions for disposition of the closed lane to the new owner of the adjacent lands, which if adopted by Council, will act to supersede the terms and conditions of sale that were adopted by Council in relation to Corporate Report Nos. R160; 2009 and R054; 2010.

#### **DISCUSSION**

City staff has negotiated new terms and conditions for the sale of the closed lane to the current owner of the adjacent lands, based on current market value for the lands as determined by a staff appraiser. The closed lane will be developed with the adjacent lands under a revised proposal under Project No. 7911-0059-00. The development proposal is for a four-storey apartment building and two-storey townhouses, which is very similar to the previous proposal. The rezoning by-law related to the current development proposal for the consolidated site received Third Reading on June 13, 2011.

As part of the disposition process, staff will ensure that notice is issued in accordance with provisions of Sections 26 and 94 of the Community Charter, SBC, 2003, Chap. 26.

# **SUSTAINABILITY CONSIDERATIONS**

The proposed sale of City land supports the objectives of the City's Sustainability Charter; more particularly, the economic goal of using the City's land base efficiently, which contributes to the City's financial sustainability. It also supports the broad Charter objective of ensuring that land uses are located in a planned and orderly manner throughout the City.

# **CONCLUSION**

The subject City property (PID No. o28-134-761) is formerly a 244.7 m² portion of public lane that has been cancelled as dedicated highway for the purpose of disposition and consolidation with the adjacent lands at 10156 & 10168 – 132 Street and 13230 & 13238 Old Yale Road. The terms and conditions that have been negotiated for the disposition of this land are considered reasonable. It is recommended that Council approve the sale of PID No. 028-134-761 as generally described in this report.

Vincent Lalonde, P. Eng. General Manager, Engineering

AW/amg

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# **Appendices**

- I. Aerial Photograph of Site
- II. Corporate Report No. R160; 2009
- III. Corporate Report No. Ro54; 2010

# **APPENDIX I** AERIAL PHOTOGRAPH OF SITE LOCATION 10199 10189 Adjacent Lands OLDYALERD (Project: 7911-0059-00) 132 ST 0135 PID No. 028-134-761 Formerly Dedicated Lane 244.7 m<sup>2</sup> (2,634 ft) LEGEND Closed Lane

Produced by GIS Section: October 24, 2011, AW8

Date of Aerial Photography: April 2011



LANE CLOSURE FILE: 0910-30/158 PROJECT: 7911-0059-00

ENGINEERING DEPARTMENT

Adjacent Lands

The date provided is compiled from verious sources and ISNOT warranted as to its accuracy or sufficiency by the City of Surrey. This informs tion is provided for informs ion and convenience purposes only. Lot size, Legal descriptions and encumbrance amout be confirmed at the Lend Title Office.

G:MAPPING/GIS/MAPS/ CORPORATE REPORTS/Realty/ AW-LaneClosure\_132ST&Old YaleRd-AP.mxd