

# CORPORATE REPORT

NO: R106 COUNCIL DATE: May 28, 2012

#### **REGULAR COUNCIL**

TO: Mayor & Council DATE: May 23, 2012

FROM: General Manager, Engineering FILE: 7908-0189

SUBJECT: Road Closure Adjacent to 15955, 15971 and 15989 - 39A Avenue

#### RECOMMENDATION

The Engineering Department recommends that Council:

- 1. Authorize the City Clerk to bring forward Surrey Close and Remove the Dedication of Highway of a Portion of Road Adjacent to 15955, 15971, and 15989 39A Avenue By-law, 2012, No. 17365 for final adoption; and
- 2. Authorize staff to take all necessary actions to complete the sale of the closed road allowance as generally described in this report and its appendices.

#### **BACKGROUND**

At the Regular Council meeting of September 12, 2011, Council approved the recommendation outlined in Corporate Report No. R163; 2011 (attached as Appendix II) and instructed staff to bring forward a by-law to close a portion of road adjacent to 15955, 15971 and 15989 – 39A Avenue. The proposed road closure is associated with development application no. 7908-0189-00. The applicant, Morgan Creek Holdings Inc., proposes to re-subdivide five vacant properties located on the unconstructed cul-de-sac bulb of 39A Avenue, east of 159 Street in conjunction with subdivision of a larger, undeveloped parcel located to the south at 3833 – 160 Street (see Appendix II).

The authorizing by-law, "Surrey Close and Remove the Dedication of Highway of a Portion of Road Adjacent to 15955, 15971, and 15989 – 39A Avenue By-law, 2012, No. 17365," was given readings by Council on March 12, 2012. As part of the agenda for the Regular meeting on April 2, 2012, Council was asked to consider final adoption of By-law No. 17365; however, as a result of the contents of four submissions from area residents, Council referred the by-law back to staff for further public consultation.

#### **DISCUSSION**

In response to Council's direction, staff contacted the four residents who had made submissions and invited them to a meeting to discuss their concerns. Two of the four residents attended a meeting at City Hall on April 25, 2012. At that meeting it was determined that the residents did

not have any specific objections to the road closure. Their primary concern was the potential for large construction vehicles to need to pass in front of their respective houses during the construction of the related project. The residents requested that barriers be placed across the unconstructed portion of 39A Avenue, east of 159 Street (see Appendix I). Staff confirmed that such temporary barriers would be included in the traffic management plan for the related project, which satisfied the residents who attended the meeting. The residents at the meeting advised that they would provide an update to the two residents who were unable to attend the meeting.

In view of the outcome of the recent meeting with the area residents, staff are satisfied that "Surrey Close and Remove the Dedication of Highway of a Portion of Road Adjacent to 15955, 15971, and 15989 – 39A Avenue By-law, 2012, No. 17365" is now in order for consideration of final adoption.

#### SUSTAINABILITY CONSIDERATIONS

The proposed road closure and sale supports the objectives of the City's Sustainability Charter by using the City's land base efficiently and by ensuring that land uses are located in a planned and orderly manner throughout the City.

#### **CONCLUSION**

The portion of road allowance to be closed and sold is surplus to the City's needs. Concerns raised by area residents have been satisfied. The terms of the agreement of sale covering the disposition of the closed road and its consolidation with the properties located at 15955, 15971, and 15989 – 39A Avenue are considered reasonable. It is recommended that Council authorize the City Clerk to bring forward By-law No. 17365 for final adoption and to take all necessary actions to complete the sale of the subject lands.

Vincent Lalonde, P. Eng. General Manager, Engineering

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#### **Appendices**

- I. Aerial Photograph of Site
- II. Corporate Report R163; 2011

# APPENDIX I AERIAL PHOTOGRAPH OF SITE 40 AVE PUMP STATION 39A AVE PROPOSED AREA OF ROAD CLOSURE 272.4 m<sup>2</sup> (2,932 ft<sup>2</sup>) PROPOSED DEVELOPMENT AREA DEVONSHIRE LEGEND

Produced by GIS Section: August 23, 2011, AW/CS

Date of Aerial Photography: May 2010

Proposed Road Closure Proposed Development Area

City Pump Station



PROPOSED ROAD CLOSURE LOCATED ADJACENT TO 15955, 15971 & 15989 – 39A AVENUE

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. G:MAPRING.GE/MAPS), CORPORATE REPORTS/Resity\ AW-15971815989\_39.A-Avia\_RC-AP.mxd



# APPENDIX II CORPORATE REPORT

NO: R163 COUNCIL DATE: September 12, 2011

#### **REGULAR COUNCIL**

TO: Mayor & Council DATE: September 7, 2011

FROM: General Manager, Engineering FILE: 7908-0189

SUBJECT: Road Closure Adjacent to 15955, 15971, and 15989 - 39A Avenue

#### 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 272.4 m² (2,932 ft.²) of road allowance adjacent to the lots at 15955, 15971, and 15989 – 39A Avenue, as generally illustrated in Appendix I attached to this report.

#### **BACKGROUND**

# 1. Property Description

The 272.4 m² (2,932 ft.²) road allowance proposed for closure is a portion of the road adjacent to 15955, 15971, and 15989 – 39A Avenue. This area of road allowance is redundant in consideration of the new subdivision layout being proposed by the applicant for the surrounding land. Appendix II attached to this report illustrates the proposed new subdivision pattern.

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

The road closure area and the adjacent lands are zoned Comprehensive Development (CD) Zone and are designated as "Suburban" in the Official Community Plan.

#### **DISCUSSION**

#### 1. Purpose of Road Closure

The area of road allowance proposed for closure is to be consolidated with the adjacent properties located at 15955 through 15989 – 39A Avenue and 3833 – 160 Street, in accordance with Development Application No. 7908-0189.

All concerned City departments have reviewed the proposed road closure and no objections to its closure or disposition have been raised.

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

#### 2. Land Value

The applicants have agreed to provide compensation to the City based on the market value of the land as determined by a qualified appraiser.

All area calculations contained in this report are approximate and subject to final survey.

# 3. Sustainability Considerations

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

#### **CONCLUSION**

The portion of road allowance proposed for closure and sale is surplus to the City's needs. The terms of the agreement of sale covering the disposition of the subject road allowance and its consolidation with the properties at 15955 through 15989 – 39A Avenue and 3833 – 160 Street are considered reasonable. It is recommended that Council authorize staff to take the actions as recommended in this report, which will facilitate the sale of the subject land.

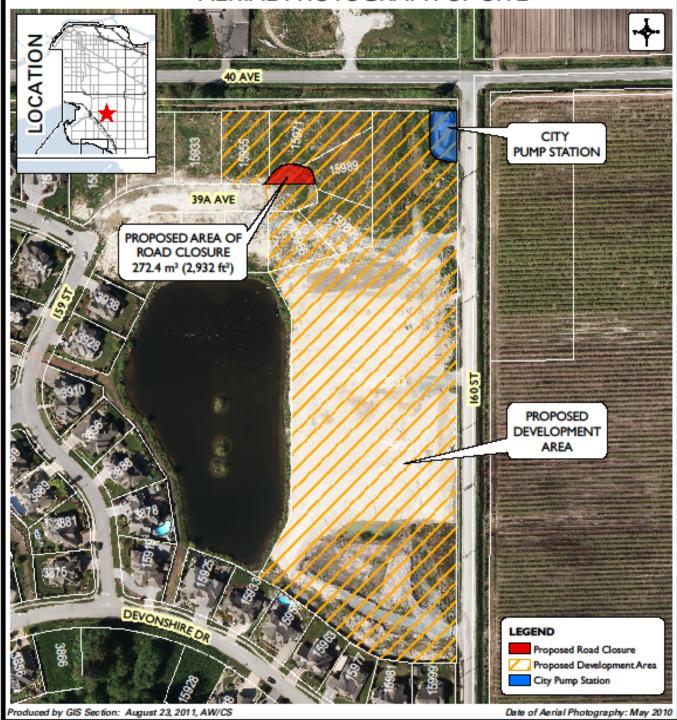
Vincent Lalonde, P. Eng. General Manager, Engineering

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### **Appendices**

- I. Aerial Photograph of Site
- II. Proposed Subdivision Pattern

# APPENDIX I AERIAL PHOTOGRAPH OF SITE



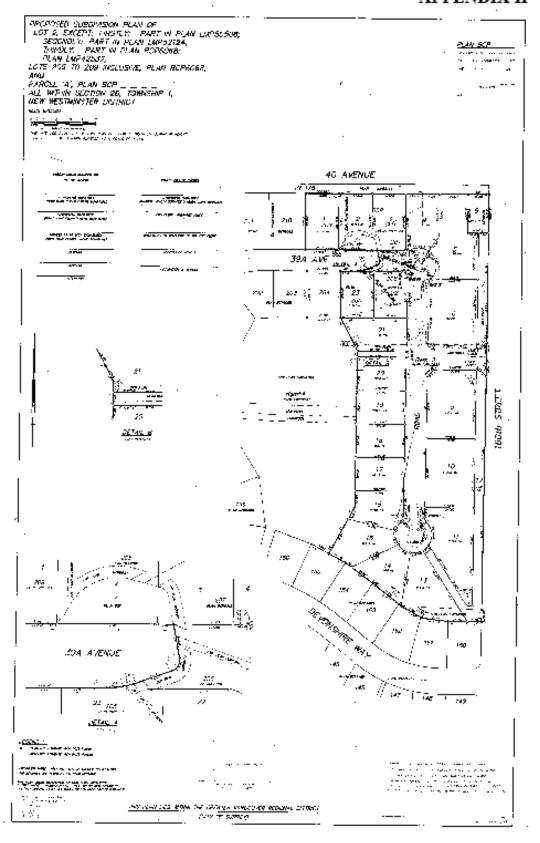


PROPOSED ROAD CLOSURE LOCATED ADJACENT TO 15955, 15971 & 15989 – 39A AVENUE

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. G:MAPPINGGE:MAPS CORPORATE REPORTS:Rea by AW-1 5971 &1 5989\_39 A-Ave\_RC-AP.mod

## APPENDIX II



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