

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

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

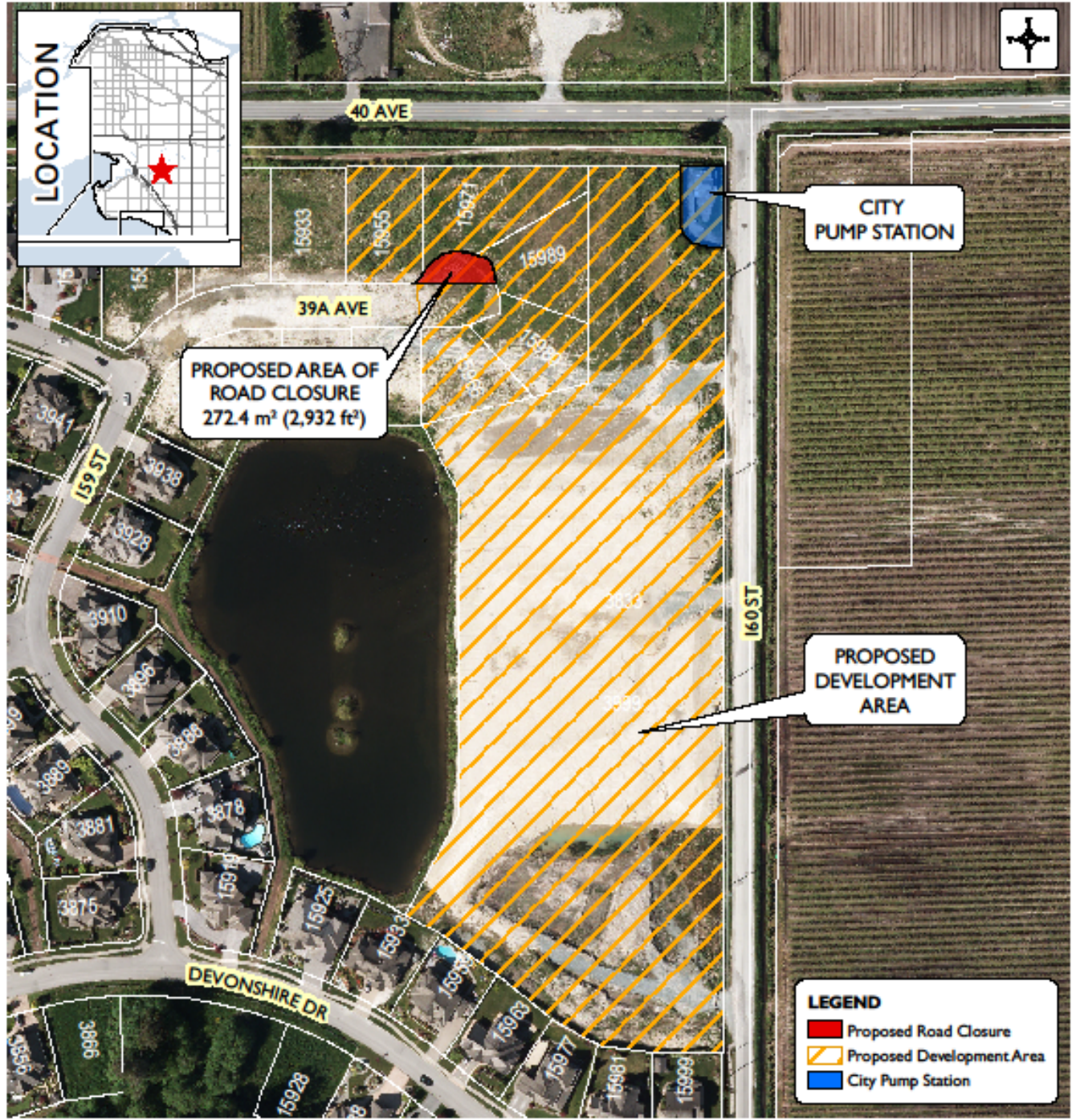
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Appendices

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

APPENDIX I AERIAL PHOTOGRAPH OF SITE



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

Date of Aerial Photography: May 2010



**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.

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