

NO: R137

COUNCIL DATE: June 25, 2012

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **June 21, 2012**

FROM: **General Manager, Engineering**

FILE: **0910-30/183
X-Ref 7911-0161-00**

SUBJECT: **Approval of the Sale of Closed Portions of Lane adjacent to
19054 – 68 Avenue and 19079 – 67A Avenue (Step 2)**

RECOMMENDATION

The Engineering Department recommends that Council approve the sale of each of a 15.1 m² (163 ft.²) area, a 4.7 m² (51 ft.²) area, and a 79.8 m² (859 ft.²) area of closed lane allowance adjacent to the lots at 19054 – 68 Avenue and 19079 – 67A Avenue under the previously approved terms for this closure and sale as outlined in Corporate Report No. Ro44; 2012, a copy of which is attached to this report as Appendix I.

DISCUSSION

On March 12, 2012, Council authorized the Engineering Department (Resolution No. R12-590 related to Corporate Report No. Ro44) to proceed with the closure and sale of portions of redundant road (lane) allowance for the purpose of consolidating the closed areas with properties known as 19054 – 68 Avenue, 19079 – 67A Avenue and 19047 – 67A Avenue. A final survey has confirmed the road closure lands as having a total area of 99.6 m² (1,072 ft.²). Council approval of the sale of these portions of closed road (lane) allowance is now required to complete the final step in the road closure process as stipulated by the Community Charter.

The Community Charter requires that Council approval to close and sell roads must be obtained on two separate occasions. The first time is at the beginning of the closure process when Council is requested to authorize the “cancellation of highway” for the portion of road to be closed and consolidated. The second time is at the end of the process when Council authority is required to formally dispose of the portion of road after all the statutory requirements have been met. In accordance with Section 40 of the Community Charter, all the necessary requirements to dispose of these redundant portions of road (lane) allowance have been met, and it is now in order for Council to approve this last step in the road closure and sale process.

CONCLUSION

It is recommended that Council approve the sale of the closed portions of lane adjacent to 19054 – 68 Avenue and 19079 – 67A Avenue under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. Ro44; 2012.

Vincent Lalonde, P.Eng.
General Manager, Engineering

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Appendix I: Corporate Report No. Ro44; 2012

NO: **R044**

COUNCIL DATE: **March 12, 2012**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **March 8, 2012**

FROM: **General Manager, Engineering**

FILE: **0910-30/183**

SUBJECT: **Closure of Road Allowance Areas Adjacent to 19054 – 68 Avenue and 19079 – 67A 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 of each of a 15.12 m² (163 ft.²), a 4.73 m² (51 ft.²), a 63.42 m² (683 ft.²), and a 16.37 m² (176 ft.²) area of road allowance, respectively, located adjacent to the lots at 19054 – 68 Avenue and 19079 – 67A Avenue as generally illustrated in Appendix I.

BACKGROUND

1. Property Description

The road closure areas comprise 4.73 m², 63.42 m², and 16.37 m² portions of the 67A Avenue road allowance south of the lots at 19054 – 68 Avenue and 19079 – 67A Avenue, and a 15.12 m² portion of the road allowance west of the same lots. The proposed closures have a combined total area of 99.64 m² (1073 ft.²).

2. Zoning, Plan Designations, and Land Uses

The road closure areas and the property at 19079 – 67A Avenue are zoned Special Single Family Residential (9) (RF-9S) Zone. The property at 19054 – 68 Avenue is zoned One Acre Residential (RA) Zone. The road closure areas and the subject adjacent properties are designated as “10-15 u.p.a. Special Residential” in the East Clayton Neighbourhood Concept Plan.

DISCUSSION

1. Purpose of Road Closure

The applicant is proposing under Development Application No. 7911-0161-00, to rezone the property at 19054 – 68 Avenue from One Acre Residential (RA) Zone to Special Single Family Residential (9) Zone (RF-9S) to permit subdivision into 11 single family lots, together with a portion of the neighbouring property to the east at 19079 – 67A Avenue, which is zoned RF-9S. This development project proposes minor modification to the road network as shown in the East Clayton NCP, which modification has resulted in the subject road closure

areas being surplus to the City's needs. The proposed road closures were identified in the November 28, 2011 Planning Report to Council related to Development Application No. 7911-0161-00 and the related Rezoning By-law received Third Reading on December 12, 2011.

The two corner cut road closure areas of 4.73 m² and 15.12 m² along the east property line of 19047 - 67A Avenue are to be consolidated with that property and the road closure areas of 63.42 m² and 16.37 m² are to be consolidated with the lot at 19054 - 68 Avenue and the lot at 19079 - 67A Avenue. The developer is responsible for liaising with the owners of each of 19047 & 19079 - 67A Avenue to effect the consolidation of the appropriate road closure areas with these two properties.

The proposed road closures have been circulated to all concerned City departments for review and no objections to the 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 allowance have been consulted and none has expressed any objections.

2. Land Value

The applicants have agreed to provide compensation to the City based on the market value of the areas of closed road as determined by a staff appraisal.

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

SUSTAINABILITY CONSIDERATIONS

The proposed road allowance closure and sale supports the Sustainability Charter's goal of using the City's land base efficiently as the road allowance proposed for closure is not required for road purposes and can be consolidated and developed with the adjacent properties.

CONCLUSION

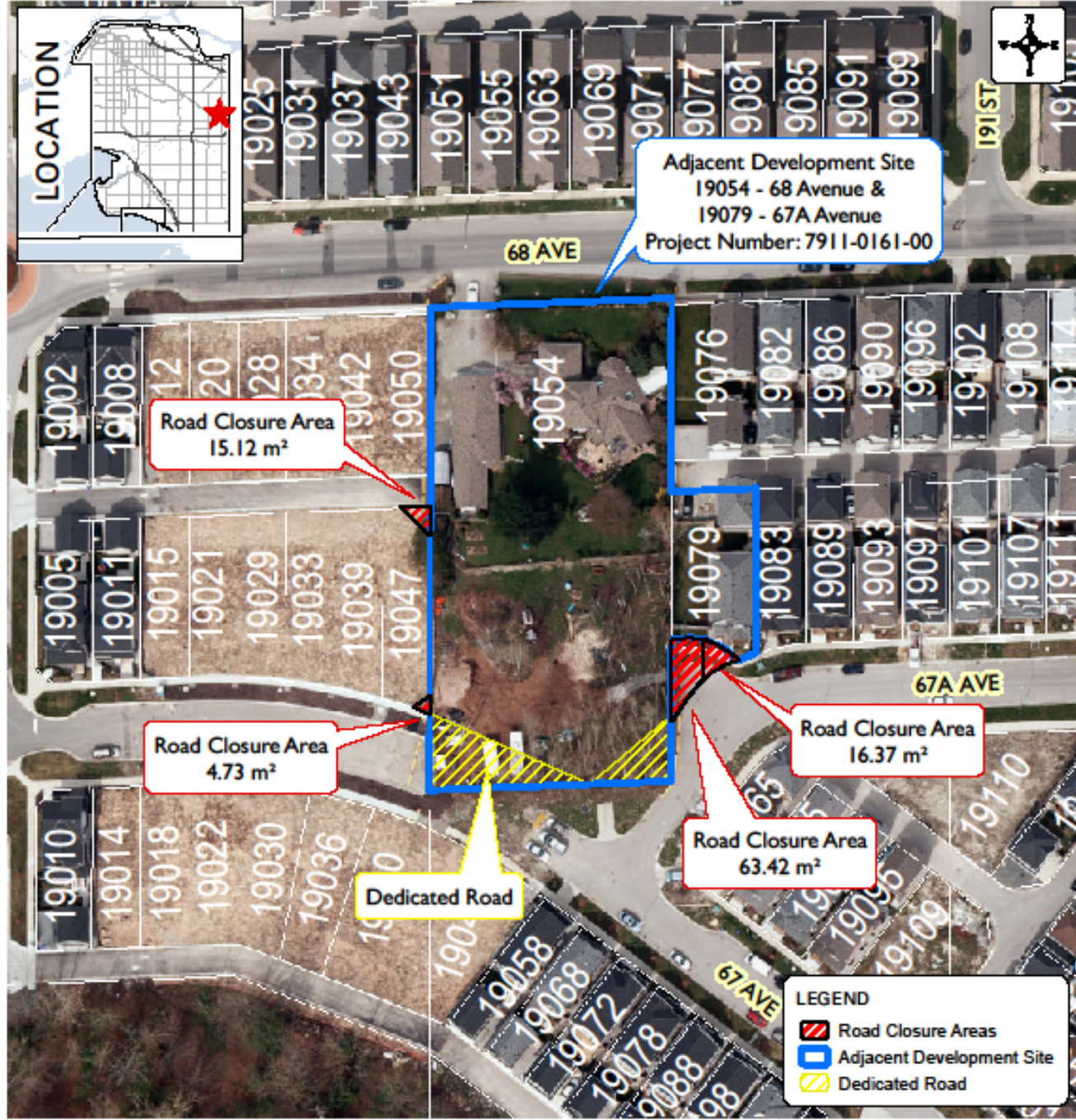
The portions of road proposed for closure and sale are surplus to the City's needs. The terms of the sale agreement covering the disposition of the surplus road allowance and its consolidation with the lots at 19047 & 19079 - 67A Avenue and 19054 - 68 Avenue are considered reasonable. It is recommended that Council authorize staff to bring forward an appropriate by-law to close the subject road allowance areas in preparation for their sale and consolidation as described in this report.

Vincent Lalonde, P.Eng.
General Manager, Engineering

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APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: February 15, 2012, AW8

Date of Aerial Photography: April 2011



ROAD CLOSURES ADJACENT TO 19054 - 68 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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