

NO: **R199** COUNCIL DATE: **September 10, 2012**

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## REGULAR COUNCIL

TO: **Mayor & Council** DATE: **September 5, 2012**

FROM: **General Manager, Engineering** FILE: **0910-20/457**  
**General Manager, Parks, Recreation & Culture**

SUBJECT: **Sale of a Portion of City Parkland at 13448 – 20 Avenue  
and Purchase and Dedication as Park of an Equal Portion  
of Privately-Owned Land at 13440 – 20 Avenue**

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## RECOMMENDATION

The Engineering Department and the Parks, Recreation and Culture Department recommend, subject to compliance with the notice provisions under Sections 26 and 94 of the Community Charter, SBC, 2003, Chap. 26, that Council:

1. approve the sale of a 60.1 m<sup>2</sup> (647 ft.<sup>2</sup>) portion of the parkland dedicated on Plan 76846 (13448 – 20 Avenue) as illustrated in Appendix I attached to this report;
2. approve the acquisition and dedication for park purposes of a 60.1 m<sup>2</sup> (647 ft.<sup>2</sup>) portion of the privately-owned land described as PID: 009-767-665 (13340 – 20 Avenue) as illustrated in Appendix I attached to this report; and
3. authorize the City Clerk to bring forward the necessary park closure by-law for the required readings.

## DISCUSSION

### 1. **Property Description:**

#### (i) 13448 – 20 Avenue

The parkland at 13448 – 20 Avenue is a 332 m<sup>2</sup> (3,578 ft.<sup>2</sup>) lot that was dedicated as “Park” through the development approval process in 1988 related to Legal Plan 76846. It has an asphalt-surfaced public walkway running through it in a north/south direction. The public walkway is not impacted by the proposed closure and sale of part of the site.

#### (ii) 13440 – 20 Avenue

The privately-owned lot at 13340 – 20 Avenue has an area of 1,299 m<sup>2</sup> (13,985 ft.<sup>2</sup>), and is improved with a residence.

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

The two subject properties are zoned Half Acre Residential Gross Density (RH-G) Zone, and are designated Suburban in the Official Community Plan. They are located within the Elgin-Chantrell residential neighbourhood of South Surrey as illustrated on Appendix I.

## **3. Reason for the Land Exchange**

The owners at 13440 - 20 Avenue have asked the City to sell them a 60.1 m<sup>2</sup> portion of the dedicated parkland located at 13448 - 20 Avenue for consolidation with 13440 - 20 Avenue to facilitate a vehicular turnaround within and a front exit from the applicants' property at 13440 - 20 Avenue. In consideration, the applicants will dedicate for park purposes an equal area (60.1 m<sup>2</sup>) of their property at 13440 - 20 Avenue. The proposed purchase and sale of lands is intended to address traffic and pedestrian safety concerns associated with the current arrangement for vehicular egress from the property at 13440 - 20 Avenue. The proposed sale and purchase of lands will also result in each of the lots at 13440 & 13448 - 20 Avenue, being more rectangular in shape.

The proposed purchase and sale of lands has been circulated to all potentially concerned City Departments for review and no objections to the land exchange have been raised.

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

## **4. Land Value**

The closure and transfer of the 60.1 m<sup>2</sup> area of dedicated parkland and the acquisition by means of a park dedication of an equal area of the adjacent property at 13440 - 20 Avenue will each be transacted at its market value as determined by a qualified staff appraiser. The applicants are responsible for all costs associated with this purchase and sale transaction.

## **5. Park Closure Process**

Subject to Council approval, a reference plan will be submitted to the Legislative Services Division requesting the Introduction and Adoption of a park closure by-law to dispose of the dedicated parkland. In accordance with Section 27 of the Community Charter, the City must obtain approval of the electors to enact 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 of the By-law, unless 10% or more of the electors submit evidence of their objection to the park closure.

Upon Final Adoption, the park closure By-law will be registered at the Land Title Office to obtain a legal title for the closed area of parkland. The City will then transfer the closed parkland to the adjacent owners, with the registration of the transfer documents occurring concurrently with the filing of an approved subdivision plan creating the proposed park dedication of a 60.1 m<sup>2</sup> area of parkland from the lot 13440 – 20 Avenue.

## **SUSTAINABILITY CONSIDERATIONS**

The proposed park closure and exchange supports the broad Sustainability Charter objective of sustainable land uses and development throughout the City. In particular, the proposed land exchange supports Sustainability Charter scope action item EN 13: Designing and programming active public spaces and streetscapes to increase public safety.

## **CONCLUSION**

The proposed closure, purchase and sale will address safety concerns associated with the current arrangement related to vehicle egress from the lot at 13440 – 20 Avenue. The terms and conditions that have been negotiated for the proposed purchase and sale are considered reasonable. It is recommended that Council approve the sale of a 60.1 m<sup>2</sup> portion of 13448 – 20 Avenue and the acquisition by way of a park dedication of a 60.1 m<sup>2</sup> portion of 13440 – 20 Avenue, all as generally described in this report.

Laurie Cavan  
General Manager  
Parks, Recreation & Culture

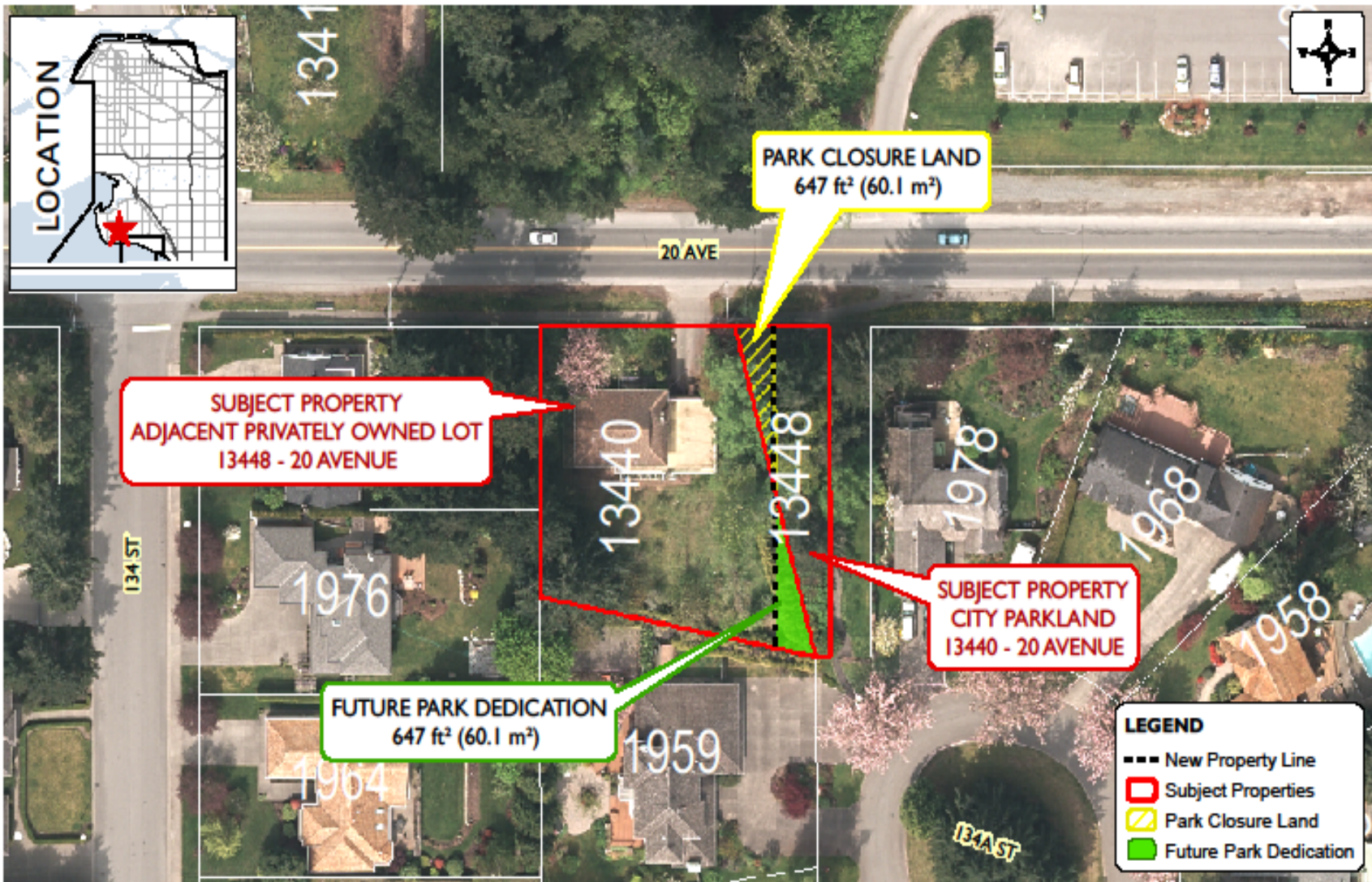
Vincent Lalonde, P.Eng.  
General Manager, Engineering

AW/mpr/brb

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Appendix I - Aerial Photograph of 13440 – 20 Avenue

# APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: June 28, 2012, AW8

Date of Aerial Photography: April 2011



## EXCHANGE OF LANDS AT 13440 & 13448 - 20 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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