

NO: **R248**

COUNCIL DATE: **December 10, 2012**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **December 4, 2012**

FROM: **General Manager, Engineering**

FILE: **0910-40/167**

SUBJECT: **Approval of Sale of Closed Portions of Road adjacent to 19095, 19107 and 19129 – 64 Avenue and 19078 & 19132 - Fraser Highway (Step 2)**

RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of a 3,316.66 m² (35,700.23 ft.²), based on final survey, area of closed lane adjacent to 19095, 19107 and 19129 - 64 Avenue, and 19078 & 19132 Fraser Highway under previously approved terms for this closure and sale as outlined in Corporate Report No. R170; 2011, a copy of which is attached to this report as Appendix I.

DISCUSSION

On September 12, 2011, Council authorized the Engineering Department (Resolution No. R11-1573 related to Corporate Report No. R170; 2011) to proceed with the closure and sale of portions of redundant road allowance having a combined area of 3,603 m² (38,782 ft.²) and also the sale of the City property at 19129 - 64 Avenue for the purpose of allowing consolidation with the properties known as 19095 & 19107 - 64 Avenue and 19078 & 19132 Fraser Highway all to facilitate the development of a townhouse project. Council's approval of the sale of the portions of closed road 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's 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's 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 authorize this last step in the road closure and sale process.

CONCLUSION

It is recommended that Council approve the sale of closed portions of lane adjacent to 19095, 19107 and 19129 - 64 Avenue, and 19078 & 19132 Fraser Highway under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. R170; 2011.

Vincent Lalonde, P.Eng.
General Manager, Engineering

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Appendix I: Corporate Report No. R170; 2011

NO: R170

COUNCIL DATE: September 12, 2011

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **September 8, 2011**

FROM: **General Manager, Engineering** FILE: **0910-40/167**

SUBJECT: **Sale of Surplus City Property at 19129 – 64 Avenue and Portion of the Adjacent 64 Avenue Road Allowance**

RECOMMENDATION

The Engineering Department recommends that Council:

1. authorize the City Clerk to bring forward a by-law to close and remove the dedication as highway of a 3,603 m² (38,782 ft.²) area of redundant road allowance (64 Avenue) adjacent to the City property located at 19129 – 64 Avenue, all as generally illustrated on Appendix I attached to this report; and
2. approve the sale , subject to compliance with the notice provisions under Sections 26 and 94 of the Community Charter, SBC, 2003, Chapter 26, of 3,603 m² (38,782 ft.²) area of land resulting from the road closure and the sale of 2,054 m² (22,109 ft.²) of City property located at 19129 - 64 Avenue (PID No. 017-589-461) all for the purpose of consolidation and development with the adjacent, privately-held lands located at 19095 and 19107 – 64 Avenue and 19078 and 19132 Fraser Highway.

BACKGROUND

1. Property Description

The 3,603 m² (38,782 ft.²) area of road allowance proposed for closure was made surplus to the City by virtue of a realignment of 64 Avenue near 19129 – 64 Avenue. The City lot at 19129 – 64 Avenue is a vacant, irregular-shaped parcel having an area of 2,054 m² (22,109 ft.²). This lot is also surplus to the City's needs. As such, the combined area of the surplus road allowance and the surplus lot is 5,657 m² (60,891 ft.² or 1.398 acres).

2. Plan Designations, Zoning, and Land Uses.

The road closure area and the adjacent lands, being the lots at 19095, 19107, and 19129 – 64 Avenue and at 19078 and 19132 Fraser Highway are all zoned Single Family Residential (RF) Zone. They are designated “Urban” in Surrey’s Official Community Plan and “Townhouse/Cluster (8 to 15 units per acre)” with “Open Space” along Fraser Highway in the North Cloverdale East Neighbourhood Community Plan (NCP).

DISCUSSION

1. Purpose

The subject City lands are proposed to be consolidated and rezoned with the four privately-held, adjacent lots located at 19095 and 19107 – 64 Avenue and 19078 and 19132 Fraser Highway under development application no. 7908-0200-00. The development application is seeking approval to develop the consolidated lands with approximately 76 townhouse units. The related rezoning by-law received Third Reading on April 18, 2011.

2. Land Value

The owners of 19095 and 19107 – 64 Avenue and 19078 and 19132 Fraser Highway have offered to purchase the subject City lands at current market value as determined by an independent appraiser. The offer is subject to Council approval on September 12, 2011 and will be exercised if rezoning and subdivision approval for development application no. 7908-0200-00 is achieved.

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

3. Disposition Process

Under Section 26(2) and (3) of the Community Charter the City is required to publish notice of proposed land sales. The subject property is being sold for consolidation with the adjacent lands at 19095 and 19107 – 64 Avenue and 19078 and 19132 Fraser Highway and it is not necessary that the City offer the property for sale to the public at large. A public notice of the proposed sale will be advertised in the local newspaper to satisfy the requirements of Section 26(3) of the Community Charter.

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 lands are surplus to the City's needs. The terms of the sale agreement covering the sale of these lands are considered reasonable. It is recommended that Council approve the sale of the subject lands and authorize staff to take the actions as described in this report to complete such a sale.



Vincent Lalonde, P.Eng.
General Manager, Engineering

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APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: August 11, 2011, AWCS

Date of Aerial Photography: May 2010



SALE OF CITY PROPERTY AT 19129 - 64 AVENUE AND PORTION OF THE ADJACENT 64 AVENUE ROAD ALLOWANCE

**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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