

NO: **R094**

COUNCIL DATE: **May 27, 2013**

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## REGULAR COUNCIL

TO: **Mayor and Council**

DATE: **May 22, 2013**

FROM: **General Manager, Engineering**

PROJECT: **1712-706**

FILE: **R12-0106/R12-0107**

SUBJECT: **Acquisition of Property at 6064 – 138 Street and at 13819 – 60 Avenue  
for the Realignment of 138 Street North of 60 Avenue**

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## RECOMMENDATION

The Engineering Department recommends for the purpose of realigning 138 Street north of 60 Avenue that Council approve the purchase of portions of the properties at 6064 – 138 Street (PID: 001-113-399) and at 13819 – 60 Avenue (PID: 007-351-658), respectively, as described in this report and as generally illustrated in Appendix I attached to this report.

## DISCUSSION

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

The subject properties, being the lots at 6064 – 138 Street and 13819 – 60 Avenue, respectively, are within the South Newton Neighbourhood Concept Plan area. Each of the two properties is vacant, adjacent, and under common ownership. The portion of the lot at 6064 – 138 Street that is to be acquired has an area of 1,730 m<sup>2</sup> (0.428 acre). The portion of the lot at 13819 – 60 Avenue to be acquired has an area of 1,470 m<sup>2</sup> (0.363 acre). The total area of land that is proposed for acquisition amounts to 3,200 m<sup>2</sup> (0.791 acres).

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

The subject properties are zoned RA (One Acre Residential Zone) and are designated “Urban” in the Official Community Plan. The South Newton Neighbourhood Concept Plan designates the properties as “Townhouse (15 u.p.a. max)”. The properties are included in Development Application No. 7912-0037-00, which also includes the adjacent vacant private lots.

**3. Purpose of the Acquisition**

The land that is being acquired will facilitate the realignment of 138 Street north of 60 Avenue, such that the intersection of 138 Street with 60 Avenue is moved further east along 60 Avenue to avoid operational and safety concerns related to the close proximity of the current intersection on 60 Avenue with King George Boulevard. The proposed realignment will also provide a corridor for sanitary sewer servicing for the catchment area south of 60 Avenue and west of 140 Street and will allow for a walkway within the remaining portion of the original 138 Street road alignment.

At a Regular meeting on November 28, 2011, Council approved the recommendations of Corporate Report No. R215; 2011, a copy of which is attached as Appendix II to this report. This report addressed the realignment of 138 Street north of 60 Avenue. The report set out a strategy for the equitable sharing of the realignment costs of 138 Street between the developments within a defined benefitting area north of 60 Avenue. Under this strategy, the costs of the land acquisition for the realignment will be recovered from the benefitting lands as they develop. Some of these costs have already been collected from development in the area.

**4. Contract of Purchase and Sale**

Purchase and sale agreements have been negotiated with and accepted by the owners of the respective lots. These prices contained in these agreements are supported by appraisals completed by an accredited staff appraiser. The agreements are subject to City Council approval on or before May 29, 2013. Sale completions are to take place upon registration, which is to occur on or before June 28, 2013.

**5. Sustainability Considerations**

Acquisition of the subject properties for the realignment of 138 Street will assist in completing the network of roads identified in the South Newton NCP that is necessary to support development in the area. The completion of the road network will assist in achieving the objectives of the City's Sustainability Charter by providing appropriate infrastructure to support new growth. More particularly, the acquisitions support the following Sustainability Charter Scope action items:

- EN 13: Enhancing the Public Realm; and
- SC13: Creating a Fully Accessible City.

## 6. Funding for Purchase

The Finance Department has confirmed that funding for these acquisitions is available in the Non-Arterial Property Acquisition Fund. The terms of the purchase and sale agreement are considered reasonable.

Vincent Lalonde, P.Eng.  
General Manager, Engineering

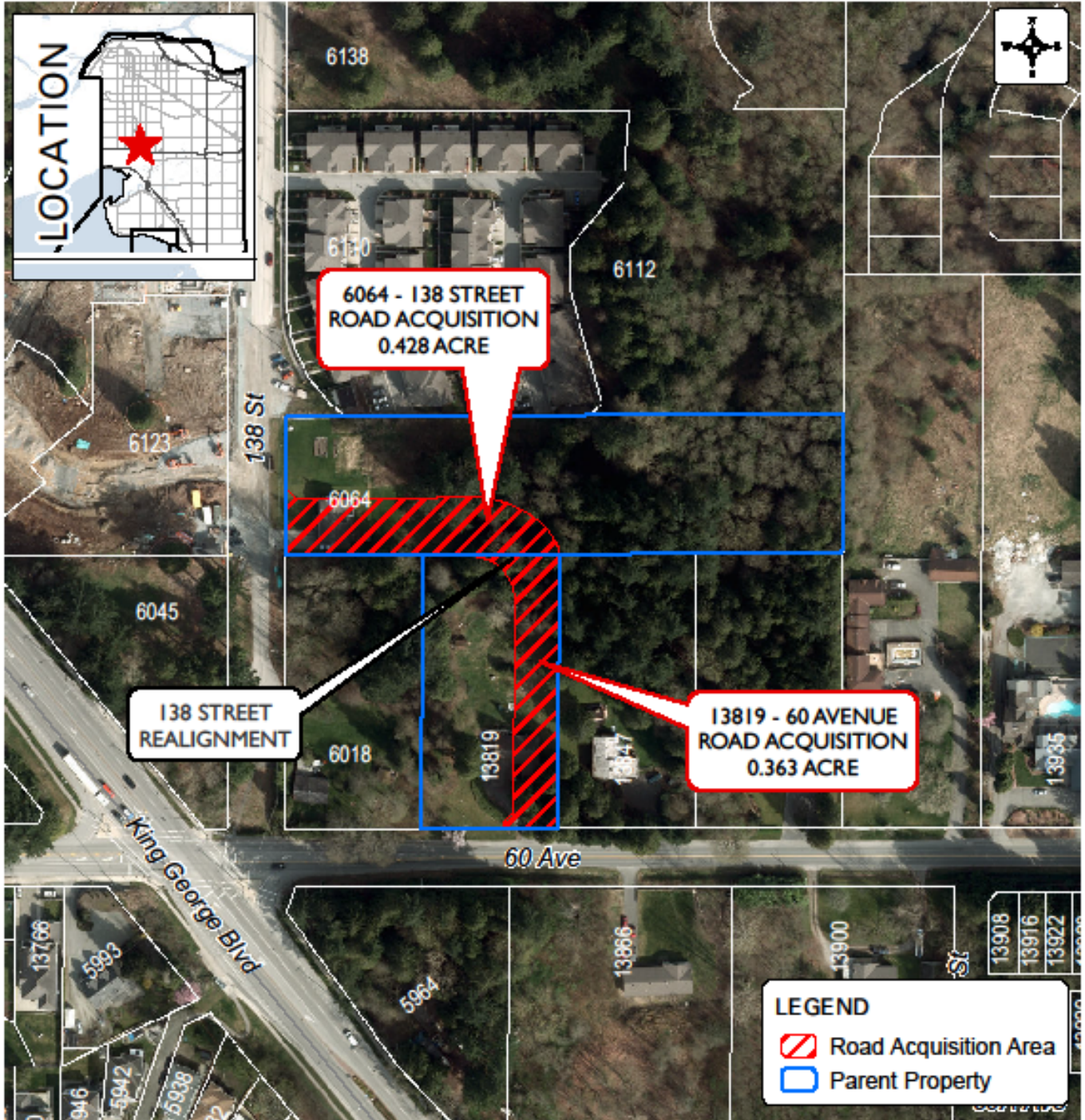
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Appendix I: Aerial Photograph of Site

Appendix II: Corporate Report No. R215; 2011

# APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: May-10-13, aw8

Date of Aerial Photography: April 2012



**SUBJECT PROPERTIES**  
6064 - 138 STREET &  
13819 - 60 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. For sizes, lag & description and encumbrances must be confirmed at the Land Title Office.

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## CORPORATE REPORT

NO: **R215**COUNCIL DATE: **November 28, 2011**

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**REGULAR COUNCIL**TO: **Mayor & Council**DATE: **November 22, 2011**FROM: **General Manager, Engineering**FILE: **6520-20(SN)**SUBJECT: **South Newton NCP – 138 Street Realignment North of 60 Avenue - Funding Strategy**

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**RECOMMENDATION**

The Engineering Department recommends that Council:

1. Receive this report as information; and
2. Approve the funding strategy for the realignment of 138 Street north of 60 Avenue in the South Newton NCP as documented in this report.

**BACKGROUND**

At a Regular meeting on June 14, 1999 Council considered Corporate Report No. C426; 1999 and approved the South Newton Neighbourhood Concept Plan (NCP). The NCP identified the need to realign 138 Street such that its intersection with 60 Avenue was further to the east so to avoid operational and safety concerns in relation to its spacing with the intersection of King George Boulevard and 60 Avenue.

It was recognized that any proposed realignment of 138 Street would affect several properties and that a Class B watercourse would also likely be affected. In this regard the NCP identified the need for “*consolidation and a coordinated approach towards development*” to “*ensure compatibility and feasible development areas*”. The realignment of 138 Street as illustrated in the NCP is illustrated in Appendix I attached to this report.

The ability to establish reasonable access to the neighbourhood north of 60<sup>th</sup> Avenue and east of King George Boulevard is constrained by topography and a significant watercourse. It is considered necessary to maintain a connection of 138 Street with 60 Avenue since in the absence of such a connection, there would be only one access for the area to the north to 62 Avenue with no street connection to 60 Avenue. The 138 Street road allowance through to 60 Avenue is also necessary for sanitary sewer servicing for the catchment area south of 60 Avenue and west of 140 Street.

The existing intersection of 138 Street with 60 Avenue was closed in 2007 as part of a widening of King George Boulevard in the vicinity of 60 Avenue. Residents expressed concerns over this closure; however, due to operational and safety considerations, it was not possible to keep the connection open at that time. Residents have been assured that the intersection of 138 Street with

60 Avenue would be reinstated by way of realignment of 138 Street in conjunction with development of the surrounding lots.

## **DISCUSSION**

Development application 7903-0371-00 for the lot at 6110 – 138 Street was the first development to proceed in the area and provided a portion of the realignment of 138 Street. Since that time, developers in the area have requested that the City review the original alignment and explore alternate means to phase and finance the new road.

With a view to facilitating development in the area, staff has consulted with the affected land owners and has developed an alternate strategy for facilitating the 138 Street realignment. The strategy involves:

- Revising the originally proposed road realignment as contained in the NCP;
- Defining the benefitting lands;
- Determining the costs of the realignment; and
- Allocating the costs of the property required for the road realignment on a proportionate basis to the benefitting lands.

The road alignment was revised to a more practical and feasible alignment as illustrated on Appendix II to be implemented through the land development process. The revised alignment also accommodates sanitary sewer servicing for lots to the south of 60 Avenue and allows for a walkway within the remaining portion of the 138 Street road allowance.

The benefitting area was defined as the remaining developable lands adjacent to and in close proximity to 138 Street that are designated in the NCP for 15 upa townhouse development. This area is illustrated on Appendix III. The alternate method proposed is that at the time of rezoning each applicant for development of lands within the benefitting area will be required to provide a cash contribution to facilitate the acquisition of the lands necessary to establish the realigned road allowance. The costs of constructing the road works and other engineering services within the road allowance would be borne by the properties abutting the road frontage as is typical for land development projects consistent with the Subdivision and Development Control By-law.

As these lands are in close proximity to King George Boulevard, they will have excellent and direct access in and out of the neighbourhood. In addition, the residential units will be within walking distance of the future B-Line transit service that is to become operational on King George Boulevard in 2012.

### **Recommended Funding Strategy**

The proposed funding strategy to accomplish the 138 Street realignment north of 60 Avenue is as follows:

- Each lot in the benefitting area as illustrated on Appendix III will make a cash contribution of \$55,000 per net developable acre at the time of rezoning toward the costs of the property to establish the realignment of 138 Street;
- The proceeds from the sale of the surplus portions of 138 Street will be allocated to the acquisition of the land necessary for the 138 Street realignment;

- The City will acquire the necessary land for the 138 Street realignment from each of 6018 – 138 Street, 6064 – 138 Street, 13847 – 60 Avenue and 13819 – 60 Avenue; and
- The City will fund the construction of a walkway in the remnant portion of the 138 Street road allowance.

The owners of land within the benefitting area have agreed with this approach to funding the road realignment.

The approach contemplated under the South Newton NCP, which anticipated the consolidation of lots within the benefitting area to achieve the road realignment is not considered to be workable from the perspective of landowners and developers in the area.

### **SUSTAINABILITY CONSIDERATIONS**

The realignment of 138 Street will assist in completing the network of roads identified in the Newton NCP and provide the required connectivity to both 62 and 60 Avenues for the immediate neighbourhood. This will assist in meeting the goals and objectives of the City's Sustainability Charter; more particularly, creating a fully accessible city.

### **CONCLUSION**

This report discusses a strategy to accomplish a necessary realignment of 138 Street north of 60 Avenue in the South Newton NCP. Based on the above discussion, it is recommended that Council approve the funding strategy for the realignment of 138 Street as documented in this report.

Vincent Lalonde, P.Eng.  
General Manager, Engineering

VL/DM/JB/PB/brb

- Appendix I - Original Realignment for 138 Street
- Appendix II - Revised Realignment for 138 Street
- Appendix III - 138 Street Realignment Catchment Area

# APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: September 21, 2011, AW8

Date of Aerial Photography: May 2011



## ORIGINAL REALIGNMENT FOR 138 STREET

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.  
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Lot sizes, Legal descriptions and encumbrances must be confirmed at the Land Title Office.

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## APPENDIX II AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: September 21, 2011, AW8

Date of Aerial Photography: May 2011



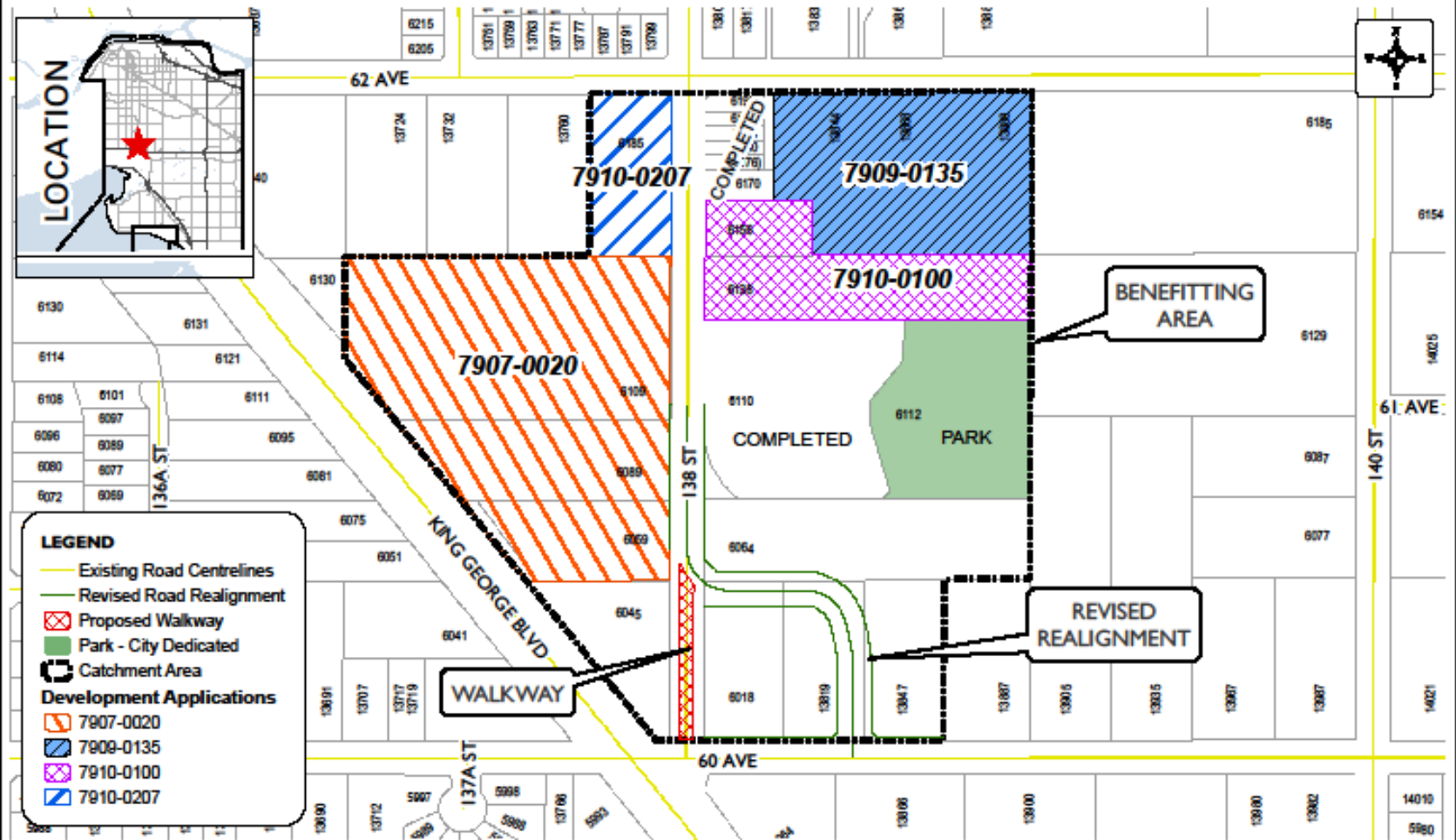
### REVISED REALIGNMENT FOR 138 STREET

**ENGINEERING  
DEPARTMENT**

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# APPENDIX III



**LEGEND**

- Existing Road Centrelines
- Revised Road Realignment
- Proposed Walkway
- Park - City Dedicated
- Catchment Area

**Development Applications**

- 7907-0020
- 7909-0135
- 7910-0100
- 7910-0207

Produced by GIS Section: September 21, 2011, AW8



## 138 STREET REALIGNMENT FUNDING BENEFITTING AREA

ENGINEERING  
DEPARTMENT

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