

NO: **R135**

COUNCIL DATE: **July 22, 2013**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **July 17, 2013**

FROM: **General Manager, Engineering**

FILE: **5013-1010 / 5013-1020**

SUBJECT: **Local Area Service and Road Opening in 51B Avenue East of 188 Street
and in 188 Street South of 51B Avenue**

RECOMMENDATIONS

The Engineering Department recommends that Council:

1. Support the submission to the Agricultural Land Commission (ALC) of a Transportation, Utility and Recreational Uses in the Agricultural Land Reserve (ALR) application (the "Application") related to the construction of a paved road and related ditching in the 51B Avenue road allowance from the property at 19012 - 51B Avenue west to 188 Street and in the 188 Street road allowance from 51B Avenue south to the property at 4938 - 188 Street, all as generally illustrated on the map attached as Appendix I to this report;
2. Include in the Application to the ALC a copy of the resolution of the City's Agriculture and Food Security Advisory Committee (AFSAC) from its meeting on July 12, 2012 that recommends the approval of the opening of 51B Avenue and 188 Street as described in this report;
3. Subject to ALC approval of the Application, approve the establishment of a Local Area Service (LAS) to allow for the construction of a road and related ditching within each of 51B Avenue and 188 Street within the limits as generally illustrated in Appendix I attached to this report, at an estimated total cost of \$1,371,467, which costs will be fully recovered by Local Area Service charges and will be apportioned based on final costs of construction and on lot area to the benefiting lots in accordance with City policy; and
4. Authorize the City Clerk to bring forward the related LAS By-law for the required readings as and when appropriate.

INTENT

The purpose of this report is to advise Council of a petition that has been received by the City for the construction of a paved road and related ditching in the 51B Avenue road allowance from the property at 19012 - 51B Avenue west to 188 Street and on 188 Street from 51B Avenue south to the property at 4938 - 188 Street, all as generally illustrated on the map attached as Appendix I to this

report, as a Local Area Service and to seek Council approval to proceed with an LAS to allow construction of the road on the basis of an LAS.

DISCUSSION

The owners of properties high-lighted on the map attached to this report as Appendix I fronting on 51B Avenue and 188 Street are interested in improving access to their lots, which collectively have an area over 25 hectares and are all located within the Agricultural Land Reserve (ALR).

In accordance with the Agricultural Land Reserve Use, Subdivision and Procedure Regulation a person must file an application with the ALC for the construction of a road within an existing right-of-way through the submission of Transportation, Utility and Recreational Uses in the ALR application.

The referenced owners have requested that the City make such an application for the construction of a paved road and related ditching in the 51B Avenue road allowance from the property at 19012 - 51B Avenue west to 188 Street and on 188 Street from 51B Avenue south to the property at 4938 - 188 Street. In accordance with City procedures, the matter was forwarded to the City's AFSAC for consideration as part of the agenda for its meeting on July 12, 2012. The Committee resolved at that time to recommend that Council support the opening of 51B Avenue and 188 Street as requested by the owners on the basis that it would provide access to lands that have previously been inaccessible for farming. The subject recommendation of the AFSAC was approved by Council at its Regular Council meeting on October 1, 2012 (Resolution No. R12-2069).

The owners have requested that the subject roads and related ditching (as illustrated on the map attached as Appendix I) be constructed as a Local Area Service. Under Part 7, Division 5, Section 210 (2) (a) of the *Community Charter*:

“the only services that may be provided as local area services are services the council considers provide particular benefit to part of the municipality”.

The owners have submitted a petition to the City for an LAS, which petition has been certified as being “sufficient” in accordance with the requirements of the *Community Charter*. A copy of the City Clerk's Certificate of Sufficiency is attached to this Report as Appendix II.

The costs of the proposed roads and related ditching have been estimated at \$1,371,467 and will be shared by the owners of the properties within the benefiting area based on lot area as documented in an Engineer's Report, a copy of which is attached to this report as Appendix III. This is consistent with the City's LAS policy.

SUSTAINABILITY CHARTER/CONSIDERATIONS

The proposed construction of roads and related ditching in 51B Avenue and 188 Street will improve access to approximately 25 hectares of farmlands within the ALR that have previously been inaccessible. As such, these works will assist in achieving the objectives of the City's Sustainability Charter; more particularly the following Charter scope action item:

- EC12: Supporting Surrey's Agricultural Land Base.

CONCLUSION

Based on the above discussion, it is recommended that Council:

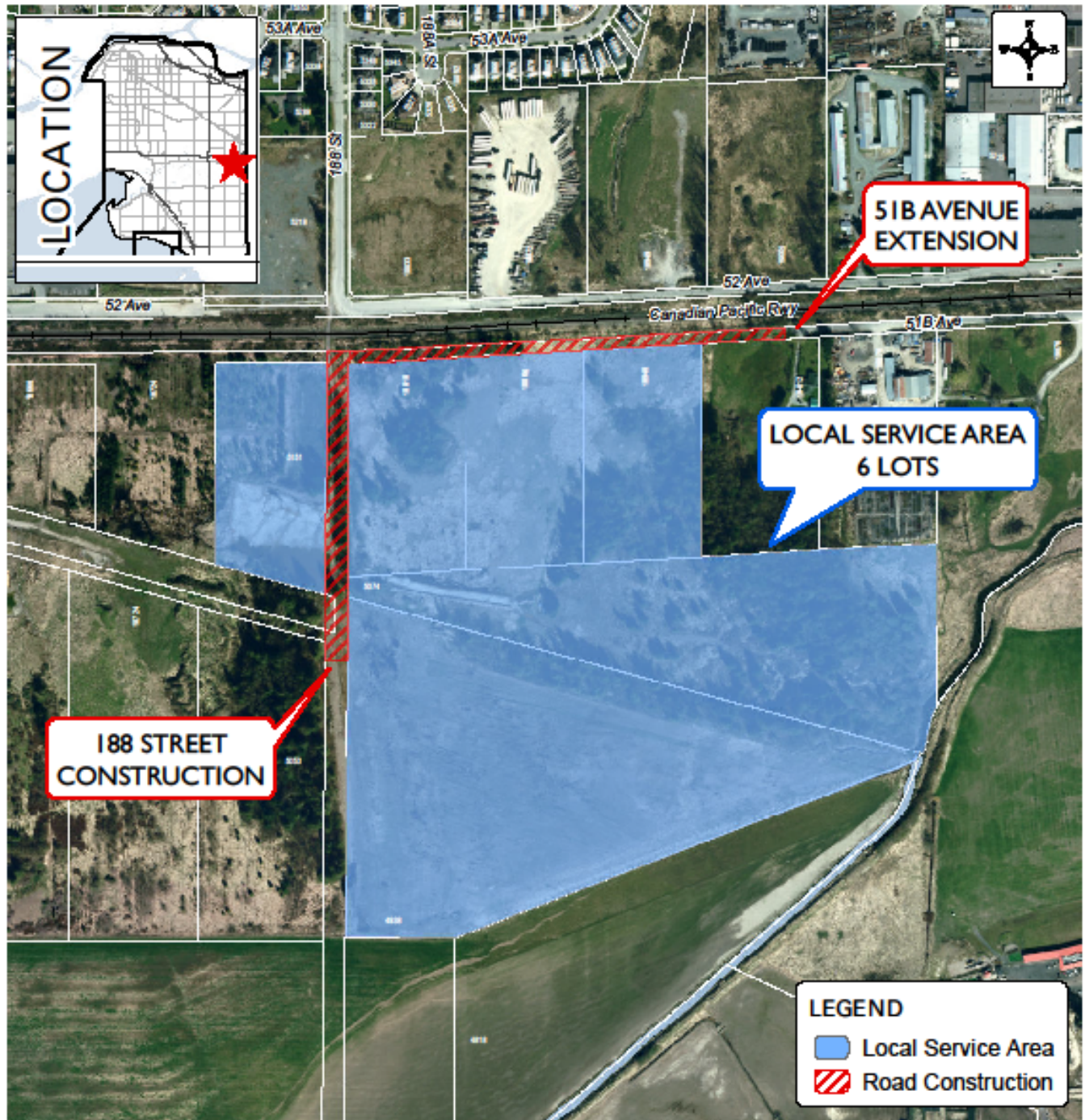
- Support the submission to the Agricultural Land Commission (ALC) of a Transportation, Utility and Recreational Uses in the Agricultural Land Reserve (ALR) application (the “Application”) related to the construction of a paved road and related ditching in the 51B Avenue road allowance from the property at 19012 - 51B Avenue west to 188 Street and in the 188 Street road allowance from 51B Avenue south to the property at 4938 - 188 Street, all as generally illustrated on the map attached as Appendix I to this report;
- Include in the Application to the ALC a copy of the resolution of the City’s Agriculture and Food Security Advisory Committee (AFSAC) from its meeting on July 12, 2012 that recommends the approval of the opening of 51B Avenue and 188 Street as described in this report;
- Subject to ALC approval of the Application, approve the establishment of a Local Area Service (LAS) to allow for the construction of a road and related ditching within each of 51B Avenue and 188 Street within the limits as generally illustrated in Appendix I attached to this report, at an estimated total cost of \$1,371,467, which costs will be fully recovered by Local Area Service charges and will be apportioned based on final costs of construction and on lot area to the benefiting lots in accordance with City policy; and
- Authorize the City Clerk to bring forward the related LAS By-law for the required readings as and when appropriate.

Vincent Lalonde, P.Eng.
General Manager, Engineering

VL/GC/JB/brb

Appendix I - Map Illustrating the Proposed Roads and the Benefitting Lands
Appendix II - City Clerk’s Certificate of Sufficiency Related to the Proposed Local Area Service
Appendix III - Engineer’s Report Related to the Proposed Local Area Service

APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: 19-Jun-2013, aw8

Date of Aerial Photography: March 30, 2013



**LOCAL AREA SERVICE
ROAD CONSTRUCTION
51B AVENUE AND 188 STREET
(5013-1010-00 & 5013-1020-00)**

**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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APPENDIX II

Certificate of Sufficiency **a formal petition for Local Area Service**

Pursuant to Section 212, SBC Chap. 26 of the *Community Charter*, I, *Jane Sullivan*, the City Clerk for City of Surrey, British Columbia certify that a formal petition for undertaking the following work as a Local Area Service agreement has been received and is determined to be sufficient.

General Description of the Work: *Local Area Service*
New Road Construction
51B Avenue and 188 Street

The Council may, by bylaw, undertake the work described above.



Jane Sullivan, City Clerk

Date: July 5, 2013

CITY OF SURREY
ENGINEER'S REPORT (*)
LOCAL AREA SERVICE - ROAD CONSTRUCTION
By FORMAL PETITION

Pursuant to Section 212 of the Community Charter, I wish to advise in regard to the following work resolved to be undertaken as a Local Area Service.

Location: Road opening of 51B Avenue and 188 Street

| | |
|--|------------------------|
| Total Estimated Cost | \$1,371,466.88(*) |
| Property Owner Contribution Total Cost | \$1,371,466.88(*) |
| Total Lot Area of the Properties in the Local Service Area | 220,301 m ² |
| Cost Per Square Metre for the LAS Cost Share | \$6.23(*) |
| Amortization Period | 15 years |
| Annual Interest Rate | 5.4%(*) |

Cost Distribution

| Address | | | Lot Area (m ²) | Total Costs Per Lot | Annual payment over 15 years |
|---------|---------|-------------|----------------------------|------------------------|------------------------------|
| House | Road | PID | | | |
| 18818 | 51B Ave | 007-502-583 | 19,974 | \$ 124,346.60 | \$ 12,305.91 |
| 18866 | 51B Ave | 007-502-630 | 19,971 | \$ 124,327.92 | \$ 12,304.06 |
| 18940 | 51B Ave | 007-502-672 | 19,974 | \$ 124,346.60 | \$ 12,305.91 |
| 4938 | 188 St | 004-706-846 | 86,787 | \$ 540,285.77 | \$ 53,469.16 |
| 5074 | 188 St | 007-502-737 | 54,562 | \$ 339,671.52 | \$ 33,615.45 |
| 5151 | 188 St | 007-437-692 | 19,033 | \$ 118,488.47 | \$ 11,726.16 |
| | | | 220,301 | \$ 1,371,466.88 | |

(*) All costs are estimates only. A revised Engineer's Report with the actual final cost and the appropriate interest rate for amortization will be prepared upon completion of the work.