

NO: R225

COUNCIL DATE: NOVEMBER 12, 2013

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## REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **November 7, 2013**

FROM: **General Manager, Engineering**

FILE: **0910-30/193**

SUBJECT: **Approval of Sale of Closed Portion of Road Allowance adjacent to 5665 - 128 Street (Step 2)**

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## RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of a 315.2 m<sup>2</sup> (3,393 ft.<sup>2</sup>) area, based on final survey information, of closed road allowance adjacent to 5665 – 128 Street under previously approved terms for this closure and sale as outlined in Corporate Report No. 083; 2013, a copy of which is attached to this report as Appendix I.

## DISCUSSION

On May 6, 2013, Council authorized the Engineering Department (Resolution No. R13-884 related to Corporate Report No. R083) to proceed with the closure and sale of portions of redundant road allowance having an area of 310 m<sup>2</sup> (3,337 ft.<sup>2</sup>) for the purpose of allowing consolidation with the property known as 5665 – 128 Street. The area proposed for closure has been adjusted to reflect final survey information. Council's approval of the sale of this portion 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 such approval 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 such approval is at the end of the process when Council's authorization is required to formally dispose of the closed 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 the redundant portion of road 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 portion of road adjacent to 5665 – 128 Street under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. R083; 2013.

Vincent Lalonde, P.Eng.  
General Manager, Engineering

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## CORPORATE REPORT

NO: **R083** COUNCIL DATE: **May 6, 2013**

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**REGULAR COUNCIL**

TO: **Mayor & Council**

DATE: **May 2, 2013**

FROM: **General Manager, Engineering**

FILE: **0910-30/193**

SUBJECT: **Closure of Road Allowance Adjacent to 5665 – 128 Street**

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**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 a 310 m<sup>2</sup> (3,337 ft.<sup>2</sup>) area of road allowance located adjacent to the north property line of 5665 – 128 Street as illustrated on Appendix 1 attached to this report.

**BACKGROUND****1. Property Description**

The road allowance area proposed for closure has an area of 310 m<sup>2</sup> (3,337 ft.<sup>2</sup>) and is a portion of unconstructed road allowance adjacent to the lot located at 5665 – 128 Street.

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

The road closure area and the adjacent property are zoned One-Acre Residential Zone (RA) Zone and designated as “Suburban” in the Official Community Plan.

**DISCUSSION****1. Purpose of Road Closure**

The area of road proposed for closure is considered to be surplus to the City’s needs and will be consolidated with the adjacent property at 5665 – 128 Street.

The proposal to close the road allowance has been circulated to all concerned City Departments for review. A Statutory Right-of-Way will be registered over the road closure area to allow for a future walkway, if required. No other concerns 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 proposed road closure have been consulted and none has expressed any objections.

## **2. Land Value**

The applicant has agreed to provide compensation to the City equivalent to the market value of the land as determined by a qualified appraiser.

All area calculations contained in this report are approximate and subject to final survey.

### **SUSTAINABILITY CONSIDERATIONS**

The proposed road closure and sale supports the City Sustainability Charter's goal of using the City's land base efficiently as the proposed road closure will be consolidated and developed with the adjacent property.

### **CONCLUSION**

The proposed road closure area is surplus to the City's needs. The terms of the sale agreement covering the disposition of the road closure area are considered reasonable. It is recommended that Council authorize staff to bring forward an appropriate by-law to close the subject road allowance area in preparation for its sale and disposition as described in this report.

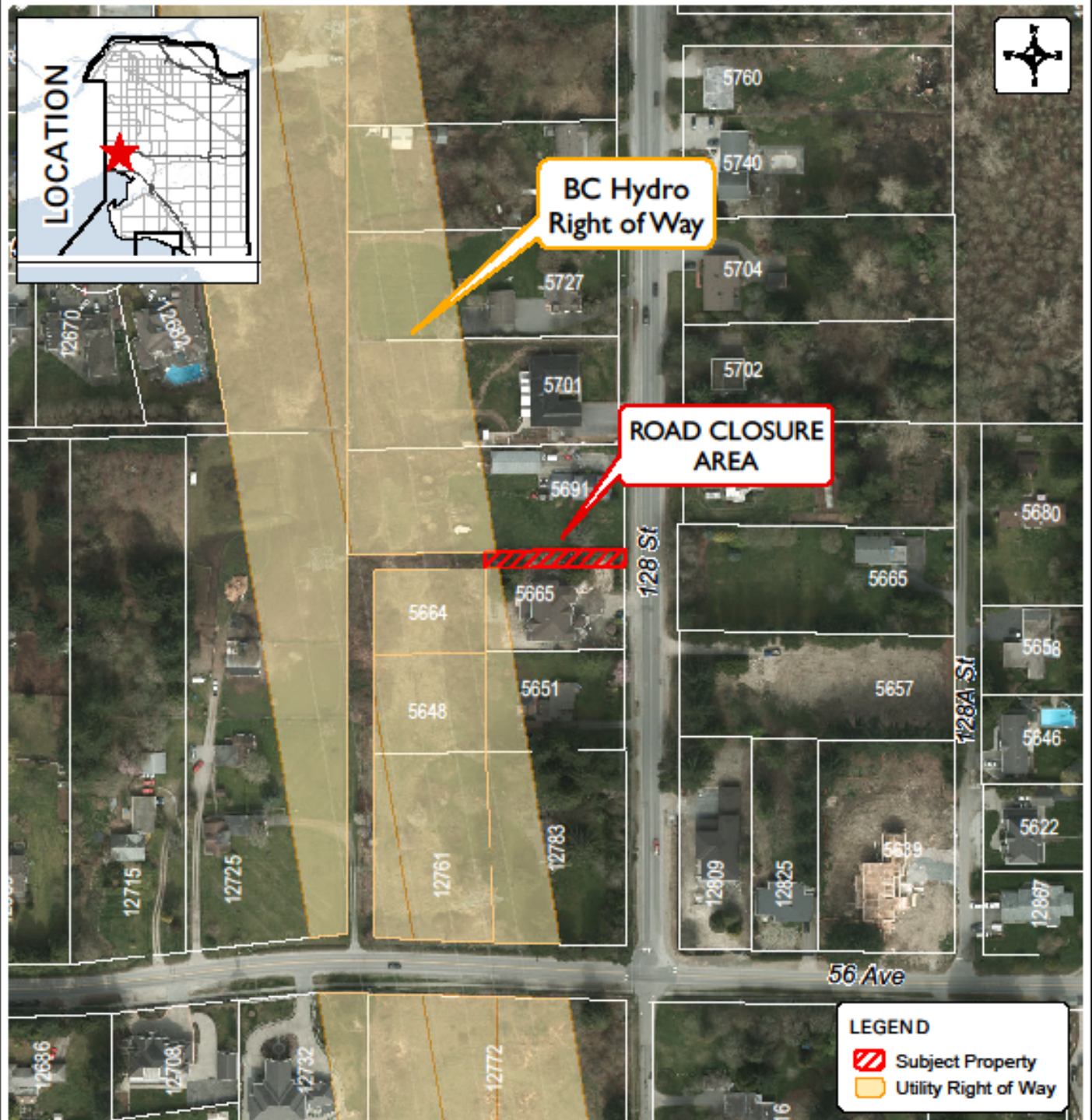
Vincent Lalonde, P. Eng.  
General Manager, Engineering

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Appendix I: Aerial Photograph of Site

# APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: April-23-13, aw8

Date of Aerial Photography: April 2013



**CLOSURE OF ROAD ALLOWANCE  
ADJACENT TO  
5665 - 128 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.  
This information is provided for information and convenience purposes only.  
For site, Legal descriptions and encumbrances must be confirmed at the Land Title Office.

Source: G:\MAPPING\GIS\Maps\CorporateReports\Realty\AW-5665-128St-RC-AP.mxd