

NO: R228

COUNCIL DATE: **NOVEMBER 12, 2013**

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## REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **November 7, 2013**

FROM: **General Manager, Engineering**

FILE: **7913-0069-00**

SUBJECT: **Approval of Sale of Closed Portion of Road Allowance Adjacent to 6018 – 138 Street (Step 2)**

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## RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of a 527.8 m<sup>2</sup> (5,681 ft<sup>2</sup>) area, based on final survey information, of closed road allowance adjacent to the lot known as 6018 – 138 Street under previously approved terms for this closure and sale as outlined in Corporate Report No. Ro81; 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. R13-882 related to Corporate Report No. Ro81; 2013) to proceed with the closure and sale of a portion of redundant road allowance having an area of 528 m<sup>2</sup> (5,683 ft<sup>2</sup>) for the purpose of allowing consolidation with and to allow subdivision of the property known as 6018 – 138 Street. The area related to the closure and sale 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 this 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 the closed portion of road allowance adjacent to 6018 - 138 Street under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. Ro81; 2013.

Vincent Lalonde, P.Eng.  
General Manager, Engineering

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## CORPORATE REPORT

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NO: **R081** COUNCIL DATE: **May 6, 2013**

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**REGULAR COUNCIL**

TO: **Mayor & Council** DATE: **April 30, 2013**  
FROM: **General Manager, Engineering** FILE: **7913-0069-00**  
SUBJECT: **Closure of Road Adjacent to 6018 – 138 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 528 m<sup>2</sup> (5,683 ft.<sup>2</sup>) portion of 138 Street adjacent to the property at 6018 – 138 Street as generally illustrated in Appendix I attached to this report.

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

The 528 m<sup>2</sup> (5,683 ft.<sup>2</sup>) portion of partially-constructed 138 Street is adjacent to the west property line of the property at 6018 – 138 Street.

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

The road closure area and the adjacent lot at 6018 – 138 Street are zoned One Acre Residential (RA) Zone and designated as “Urban” in the Official Community Plan. An application (No. 7912-0037-00) has been made to rezone the property located at 6018 – 138 Street to Single Family Residential (12) Zone (RF-12) and Single Family Residential (9) Zone (RF-9).

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

The area of partially-constructed 138 Street proposed for closure will be consolidated with the adjacent property at 6018 – 138 Street (more specifically the proposed Lot 1 and a portion of proposed Lot 2) as illustrated on Appendix II attached to this report.

The area of 138 Street proposed for closure will be surplus land as a result of the realignment of 138 Street to a new alignment to the east of its current alignment.

The proposed road closure has been circulated to all concerned City Departments for review and no objections 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 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.

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

## SUSTAINABILITY CONSIDERATIONS

The proposed road closure and sale supports the Sustainability Charter's goal of using the City's land base efficiently since the road allowance proposed for closure is not required for road purposes and can be developed in conjunction with adjacent land in support of planned and orderly development of the neighbourhood.

## CONCLUSION

The area of 138 Street proposed for closure will become surplus to the City's needs with the realignment of 138 Street to the east of its current alignment. The terms of the sale agreement covering the disposition of the closed road allowance area are considered reasonable. It is recommended that Council authorize staff to bring forward the necessary by-law to close the subject road allowance area in preparation for its sale and consolidation as described in this report.

Vincent Lalonde, P. Eng.  
General Manager, Engineering

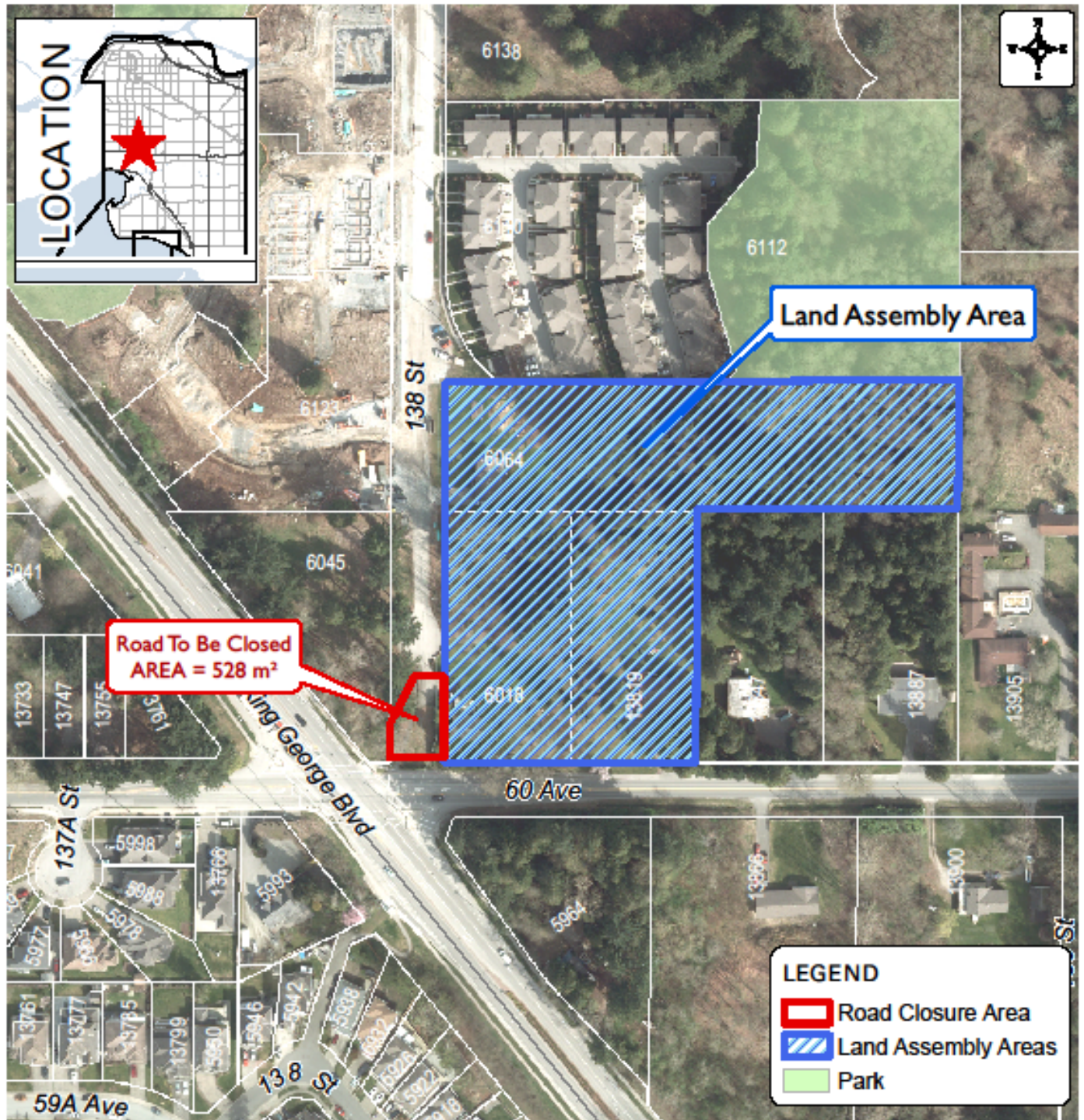
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## Appendices

- I. Aerial Photograph of Site
- II. Proposed Development Plan

# APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: April-11-13, JJR

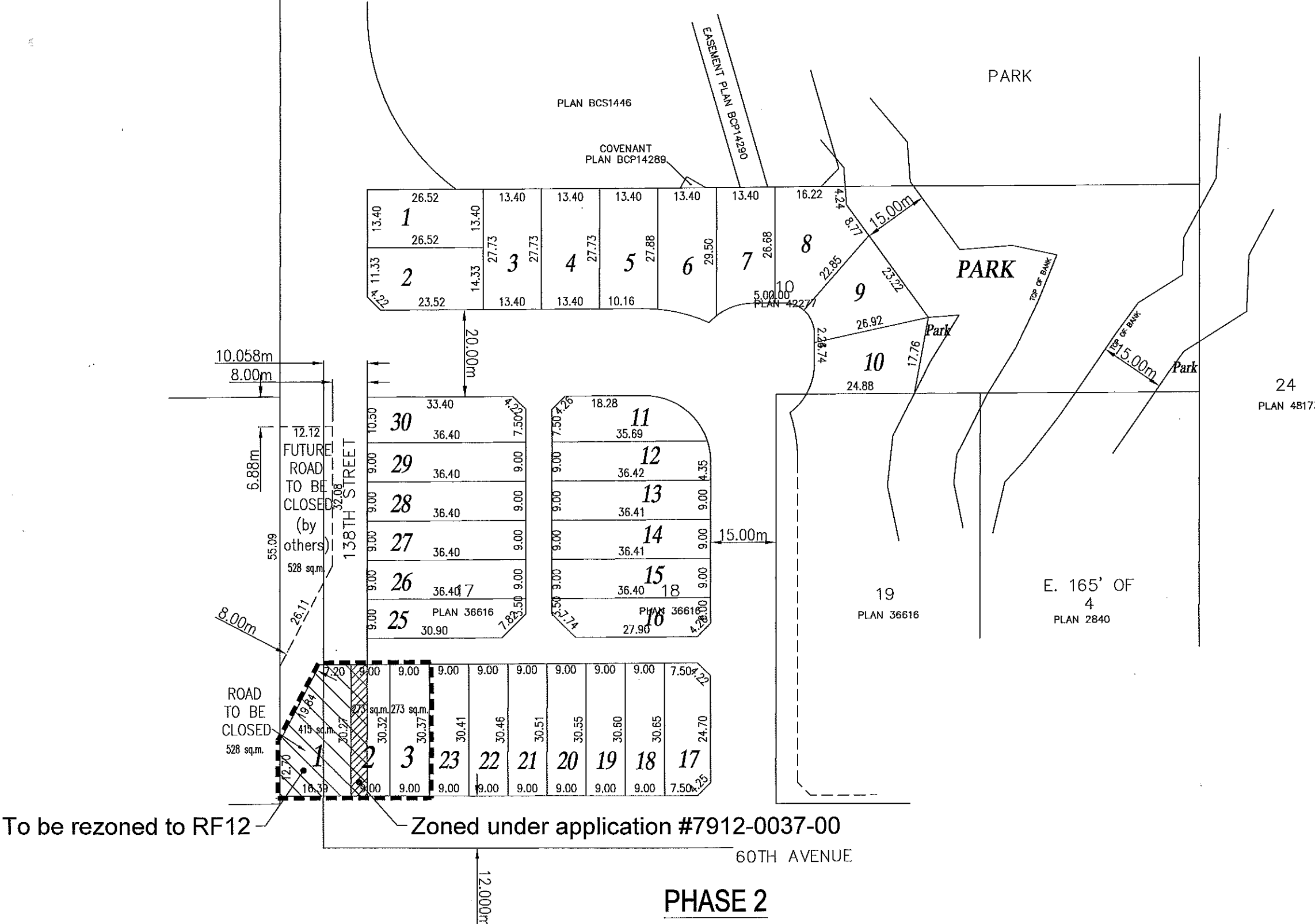
Date of Aerial Photography: April 2012



**ROAD CLOSURE ADJACENT TO  
6018 - 138 STREET  
FILE: 7913-0069-00**

**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 size, legal descriptions and encumbrances must be confirmed at the Land Title Office.



**Proposed Development Plan**  
North 60 Development Inc. #6018 - 138 Street  
7913-0069-00