

NO: R229

COUNCIL DATE: **NOVEMBER 12, 2013**

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **November 7, 2013**
FROM: **General Manager, Engineering** FILE: **7911-0333-00**
SUBJECT: **Approval of Sale of Closed Portion of Road Adjacent to 13430 and 13440 – 105 Avenue (Step 2)**

RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of an 89.8 m² (967 ft²) area, based on final survey information, of closed road allowance adjacent to 13430 and 13440 – 105 Avenue under previously approved terms for this closure and sale as outlined in Corporate Report No. Ro24; 2013, a copy of which is attached to this report as Appendix I.

DISCUSSION

On February 18, 2013, Council authorized the Engineering Department (Resolution No. R13-274 related to Corporate Report No. Ro24; 2013) to proceed with the closure and sale of portion of redundant road allowance having an area of 90.4 m² (973 ft²) for the purpose of allowing consolidation with and to allow subdivision of the properties known as 13430 and 13440 – 105 Avenue. 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 area of the closure has been adjusted to reflect final survey information.

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 a closed portion of road allowance adjacent to the lots known as 13430 and 13440 – 105 Avenue under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. Ro24; 2013.

Vincent Lalonde, P.Eng.
General Manager, Engineering

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CORPORATE REPORT

NO: **R024** COUNCIL DATE: **February 18, 2013**

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **February 12, 2013**
FROM: **General Manager, Engineering** FILE: **7911-0333**
SUBJECT: **Closure of Road Allowance Adjacent to 13430 and 13440 – 105 Avenue**

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 90.4 m² (973 ft.²) portion of unconstructed road allowance adjacent to the south property line of 13430 and 13440 – 105 Avenue, as generally illustrated in Appendix I attached to this report.

DISCUSSION**1. Property Description**

The 90.4 m² (973 ft.²) portion of dedicated but unconstructed road allowance is adjacent to the south property line of the properties located at 13430, 13440 and 13478 – 105 Avenue.

2. Zoning, Plan Designations, and Land Uses

The road allowance area proposed for closure and the subject adjacent lots are in part zoned Single Family Residential Zone (RF) and in part zoned Duplex Residential Zone (RM-D). The properties are designated as “City Centre – High Rise 5.5 FAR” in the Official Community Plan.

3. Purpose of Road Closure

The area of road allowance proposed for closure is surplus to the City’s needs and will be consolidated with the adjacent properties located at 13409 and 13425 - 104 Avenue and 13410 through 13440 – 105 Avenue as was approved by Council in relation to its consideration of Development Application No. 7911-0333.

The remaining easterly ±49.9 m² (537 ft.²) portion of the unconstructed road allowance will be consolidated to form part of a development site to the east of the current application.

All concerned City departments have reviewed the closure and there are no objections to the disposition and consolidation of the subject portion of unconstructed road allowance with the adjacent lots located at 13409 and 13425 – 104 Avenue and 13410 through 13440 – 105 Avenue.

As required under Section 40 (4) of the Community Charter, all utility companies potentially affected by the closure of this road allowance have been consulted and none has expressed any concerns or objections.

4. Land Value

The applicants have 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, as the road allowance proposed for closure is not required for road purposes and can be developed in conjunction with adjacent land as part of a larger development proposal.

CONCLUSION

The portion of road allowance proposed for closure and sale is surplus to the City's needs. The terms of the sale agreement covering the disposition of the surplus road allowance and its consolidation with the properties located at 13409 and 13425 – 104 Avenue and 13410 through 13440 – 105 Avenue are considered reasonable. It is recommended that Council authorize staff to bring forward an appropriate by-law to close the subject road allowance in preparation for its sale and consolidation as generally described in this report.

Vincent Lalonde, P. Eng.
General Manager, Engineering

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Appendix I: Aerial Photograph of Road Allowance Proposed for Closure and Adjacent Development Site

APPENDIX I AERIAL PHOTOGRAPH OF SITE



LEGEND

-  Road Closure Area
-  Land Assembly Area

Produced by GIS Section: August 28, 2012, AW8

Date of Aerial Photography: April 2012



**CLOSURE OF ROAD ALLOWANCE ADJACENT TO
13430 & 13440 - 105 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.
Lot sizes, Legal descriptions and encumbrances must be confirmed at the Land Title Office.

GIS Mapping/GIS Map of
Corporate Portal/Files by/
AW-Closure Adj To 13425-104A ved& 13430-105 Ave-AP.mxd