

NO: R112

COUNCIL DATE: **JUNE 23, 2014**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **June 2, 2014**

FROM: **Acting General Manager, Engineering**

FILE: **7913-0138-00**

SUBJECT: **Closure of Road Allowance Adjacent to 6030 – 188 Street and 18813 - 60 Avenue**

RECOMMENDATION

The Engineering Department recommends that Council authorize the City Clerk to bring forward a bylaw to close and remove the dedication as highway of a 0.128 hectare (0.316 acre) portion of road allowance integrated within the properties at 6030 – 188 Street and 18813 – 60 Avenue, as generally illustrated in Appendix I attached to this report and subject to compliance with the notice provisions of the *Community Charter, S.B.C., 2003, c. 26*.

BACKGROUND

1. **Property Description**

The area of road allowance proposed for closure is unconstructed road that was intended for 60 Avenue and defined by an 1875 BC Gazette notice. The construction of 60 Avenue occurred in 1875, but the road as constructed deviated from the confines of the gazetted road. The road as defined by the gazette notice now runs through the private properties located at 6030 – 188 Street and 18813 – 60 Avenue. The City has no transportation need for the gazetted road.

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

The areas of road allowance proposed for closure and the adjacent properties at 6030 – 188 Street and 18813 – 60 Avenue are zoned One Acre Residential (RA) Zone and are designated as “Urban” in the Official Community Plan.

DISCUSSION

1. **Purpose of Road Closure**

The subject gazetted road is integrated within the development properties at 6030 – 188 Street and 18813 – 60 Avenue. These two properties are proposed to be rezoned to “Single Family Residential” (RF) Zone and be consolidated with the private lot at 18833 – 60 Avenue in order to allow subdivision into eight new single family lots under Project No. 7913-0138-00, as illustrated in Appendix II attached to this report. The related rezoning bylaw was granted third reading by Council on September 23, 2013.

In order to remove the potential impact of the gazette notice on the titles for the development properties at 6030 – 188 Street and 18813 – 60 Avenue, City staff are proposing that the developer dedicate the gazetted road area, and then close the newly dedicated road to return title to the developer, subject to compliance with the notice provisions under sections 26 and 94 of the *Community Charter, SBC, c. 26*.

The proposed road dedication and closure has been circulated to all potentially concerned City Departments for review and all are supportive of the proposal.

2. Land Value

The proposed road dedication and closure for disposition is an administrative “housekeeping” process to seek to amend the discrepancy between the existing constructed 60 Avenue and the 1875 gazetted road for 60 Avenue. As such, the consideration to be paid by the developer will be the nominal sum of one dollar (\$1.00). The developer has agreed to pay all costs associated with the road closure process.

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

SUSTAINABILITY CONSIDERATIONS

The proposed road closure and disposition support the Surrey Sustainability Charter goal of using the City’s land base efficiently, as the gazetted road allowance proposed to be dedicated and then closed is not required for road purposes and is to be consolidated and developed with the adjacent private properties at 6030 – 188 Street and 18813 – 60 Avenue in support of planned and orderly development in Cloverdale. In particular, this supports the following City Sustainability Charter scope actions:

- EC1: Corporate Economic Sustainability; and
- EN9: Sustainable Land Use Planning and Development Practices.

CONCLUSION

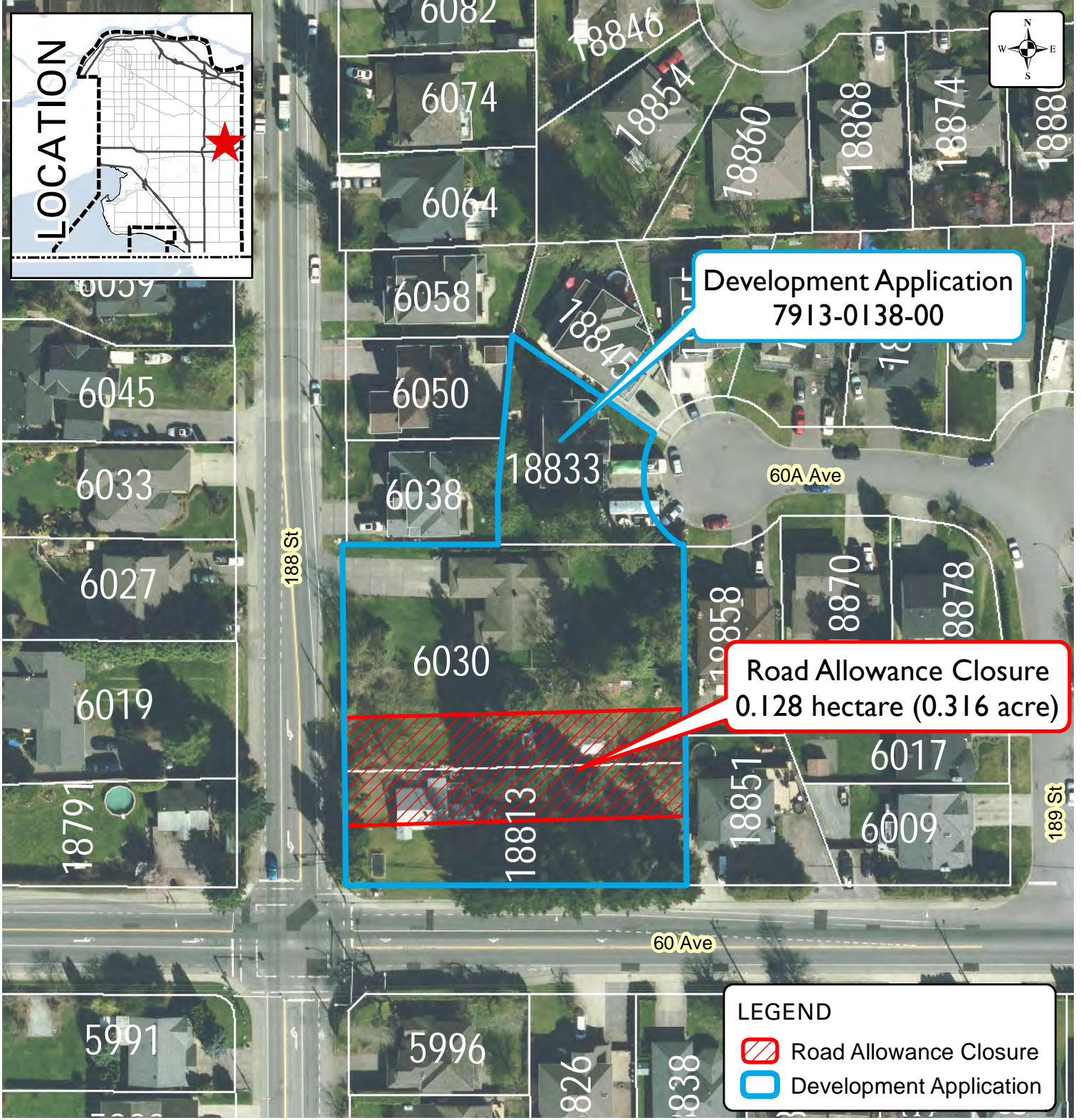
The gazetted road allowance proposed to be dedicated and then closed is not required by the City. The terms of the agreement related to the disposition of the gazetted road are considered reasonable. It is recommended that Council authorize staff to bring forward an appropriate bylaw to close the subject road allowance area in preparation for its disposition and consolidation as generally described in this report.

Gerry McKinnon
Acting General Manager, Engineering

AW/amg/ras

Appendix I - Aerial Photograph of Site
Appendix II - Development Site Layout

APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: 29-Apr-2014, EM9



**Closure of Road Allowance
Adjacent to 6030 188 St and
18813 60 Ave**

**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.

APPENDIX II DEVELOPMENT SITE LAYOUT

PLAN EPP36115

SUBDIVISION PLAN OF PARCEL 'O' (EXPLANATORY PLAN 8291) OF PARCEL 'B' (REFERENCE PLAN 4521) OF THE SOUTH EAST QUARTER, TOWNSHIP 8, NEW WESTMINSTER DISTRICT, PARCEL 'P' (EXPLANATORY PLAN 8291) LOT 15, NORTH EAST QUARTER SECTION 9, TOWNSHIP 8, NEW WESTMINSTER DISTRICT PLAN 1412, AND LOT 4, SECTION 9, TOWNSHIP 8, NEW WESTMINSTER DISTRICT PLAN BCP23828.

PURSUANT TO SECTION 87 OF THE LAND TITLE ACT.

BCGS REGD.

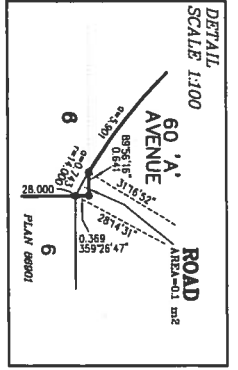
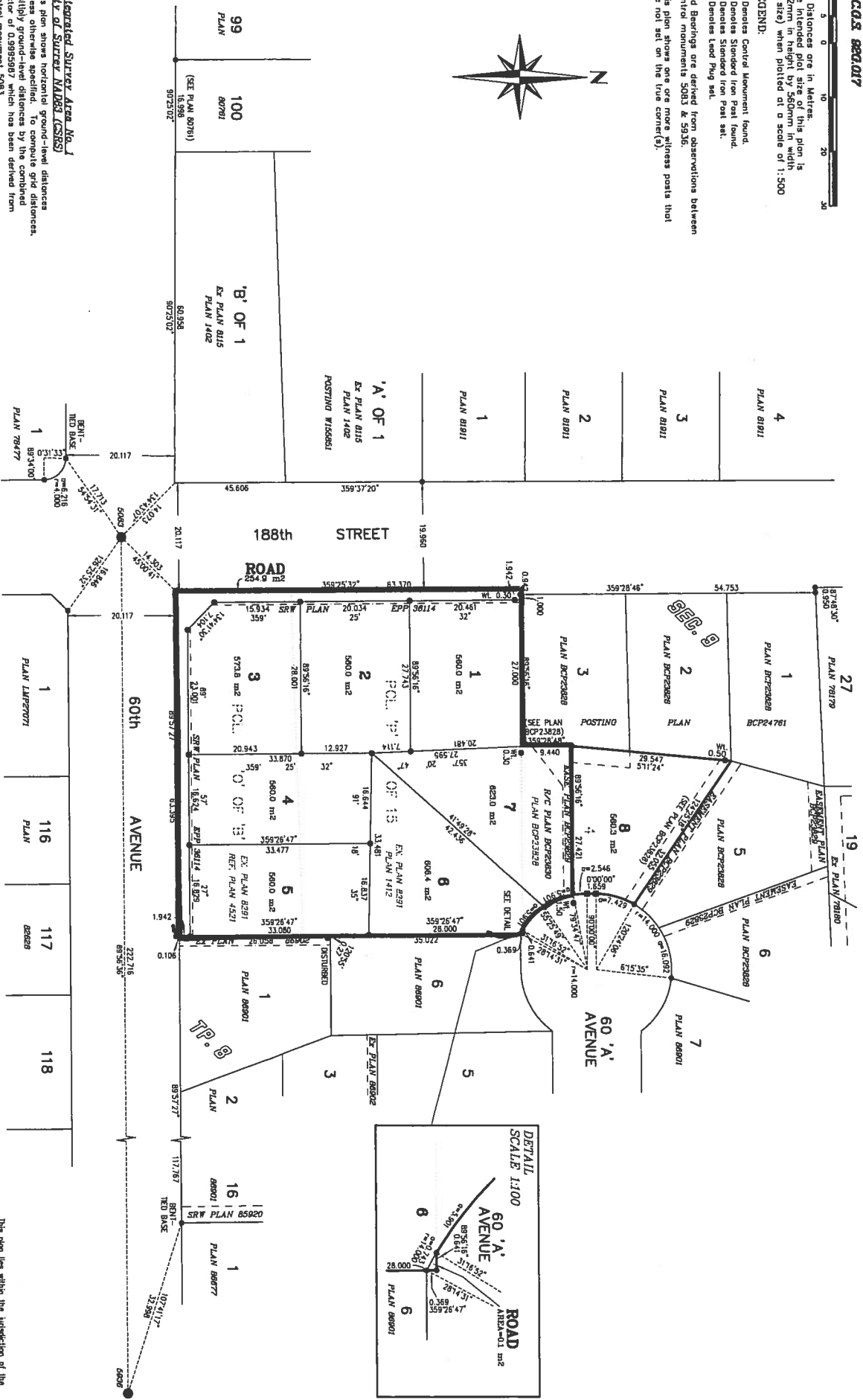


All Distances are in Metres.
The intended plot size of this plan is as shown and is subject to the survey (C/s) when plotted at a scale of 1:500

LEGEND:

- Denotes Control Monument found.
- Denotes Standard Iron Post found.
- Denotes Standard Iron Post set.
- Denotes Lead Plug set.

C/S Bearings are derived from observations between control monuments 5083 & 5036.
This plan shows one or more witness posts that are not set on the true corner(s).



Integrated Survey Area No. 1
CITY OF SURVEY MAPS (CSMS)
This plan shows horizontal ground-level distances unless otherwise specified. To compute grid distances multiply ground-level distances by the combined factor of 0.999987 which has been derived from control monument 5083.
Onderwater Land Surveying Ltd.
B.C. Land Surveyors
4104 - 6690 176 W. Street
Cheverdale, B.C.
FILE: JS1369_5

This Plan Lies Within The Greater Vancouver Regional District

This plan lies within the jurisdiction of the Approving Officer for the City of Surrey
The field survey represented by this plan was completed on the 25th day of November, 2013.
Matthew C. Onderwater B.C.S. #895