

CORPORATE REPORT

NO: R137 COUNCIL DATE: **JULY 21, 2014**

REGULAR COUNCIL

TO: Mayor & Council DATE: June 23, 2014

FROM: Acting General Manager, Engineering FILE: 7912-0119-00

SUBJECT: Closure of Road Adjacent to 6045 - 138 Street

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 527.6 m² (5,679 ft.²) area of 138 Street adjacent to the property at 6045 – 138 Street, as generally illustrated in Appendix I attached to this report, subject to compliance with the notice provisions of Sections 26 and 94 of the *Community Charter*, S.B.C., 2003, c.26.

BACKGROUND

1. Property Description

The 527.6 m^2 (5,679 ft.²) portion of 138 Street is adjacent to the east property line of the property located at 6045 - 138 Street. The owner of the lot at 6045 - 138 Street has applied to acquire the closure area and consolidate it with that lot.

2. Zoning, Plan Designations and Land Uses

The area of road allowance proposed for closure and the property at 6045 – 138 Street are zoned One-Acre Residential (RA) Zone and designated as "Urban" in the Official Community Plan.

DISCUSSION

1. Purpose of Road Closure

The area of 138 Street proposed for closure will become surplus land with the realignment of the new 138 Street to the east of the current location. The area of 138 Street proposed for closure will be consolidated with the adjacent land located at 6045 - 138 Street, which is the subject of an NCP Amendment, rezoning, subdivision and development permit application (Application No. 7912-019-00). This application is seeking approval to develop a 21-unit townhouse complex on the consolidated site, as illustrated in Appendix II attached to this report. The related rezoning bylaw was granted third reading by Council on November 12, 2013.

The area of 138 Street proposed for closure has been circulated to all potentially concerned City Departments for review and all are supportive of the proposal.

As required under Section 40 (4) of the Community Charter, all utility companies potentially affected by the closure of the portion of 138 Street 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 portion of 138 Street proposed for closure 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 Sustainability Charter's goal of using the City's land base efficiently, as this portion of 138 Street is not required for road purposes and is to be consolidated with the adjacent private property in support of planned and orderly development in South Newton. These outcomes support the following Sustainability Charter action items:

EC1: Corporate Economic Sustainability; and

EN9: Sustainable Land Use Planning and Development Practices.

CONCLUSION

The portion of 138 Street proposed for closure will become surplus to the City's needs with the realignment of the new 138 Street. The terms of the agreement related to 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 consolidation as generally described in this report.

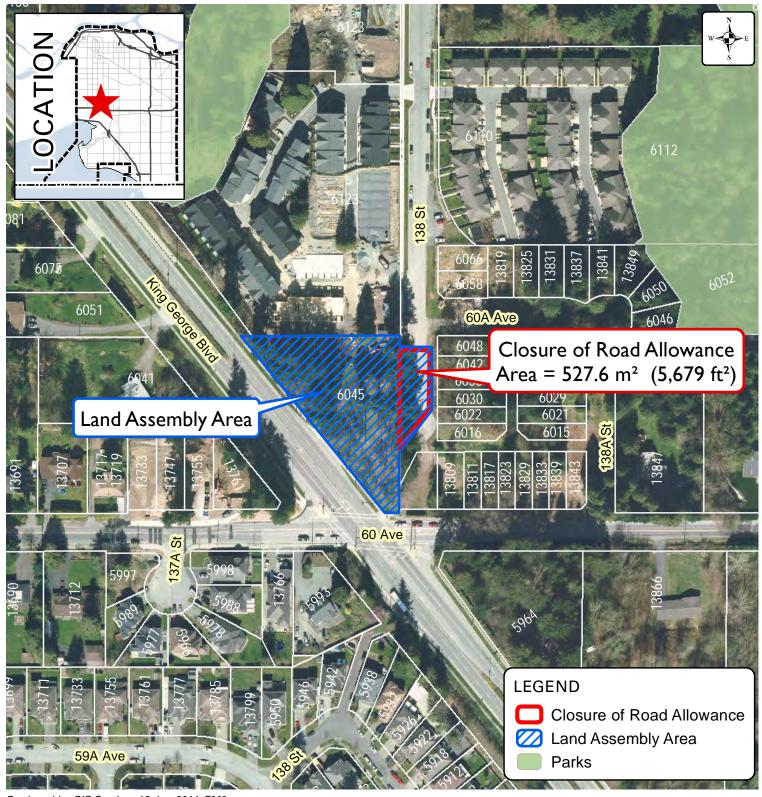
Gerry McKinnon Acting General Manager, Engineering

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Appendix I - Aerial Photograph of Road Closure Area Appendix II - Project Layout

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APPENDIX I AERIAL PHOTOGRAPH OF SITE



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Closure of Road Allowance Adjacent to 6045 - 138 St File: 7912-0119-00

ENGINEERING DEPARTMENT

Lot sizes, Legal descriptions and encumbrances must be confirmed at the Land Title Office.

