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REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **November 24, 2014**

FROM: **General Manager, Engineering**

FILE: **7912-0119-00**

SUBJECT: **Approval of the Sale of a Closed Portion of Road Allowance Adjacent to 6045 – 138 Street (Step 2)**

RECOMMENDATION

The Engineering Department recommends that Council authorize the sale of a 527.6 m² (5,679 ft.²) area of closed road allowance adjacent to 6045 – 138 Street under previously approved terms for this closure and sale as outlined in Corporate Report No. R137; 2014, a copy of which is attached to this report as Appendix A.

DISCUSSION

On July 21, 2014, Council authorized the Engineering Department (Resolution No. R14-1415 (2014) related to Corporate Report No. R137) to proceed with the closure and sale of a portion of redundant road allowance having an area of 527.6 m² (5,679 ft.²) for the purpose of allowing consolidation with and subdivision of the property known as 6045 – 138 Street. 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 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 the closed portion of road allowance adjacent to 6045 – 138 Street under the previously approved terms for this closure and sale as outlined in the attached Corporate Report No. R137; 2014.

Fraser Smith, P.Eng., MBA
General Manager, Engineering

MCS/amg/clr

Appendix A - Corporate Report No. R137; 2014



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 m² (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. 7912-0119-00). 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
ENg: 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.

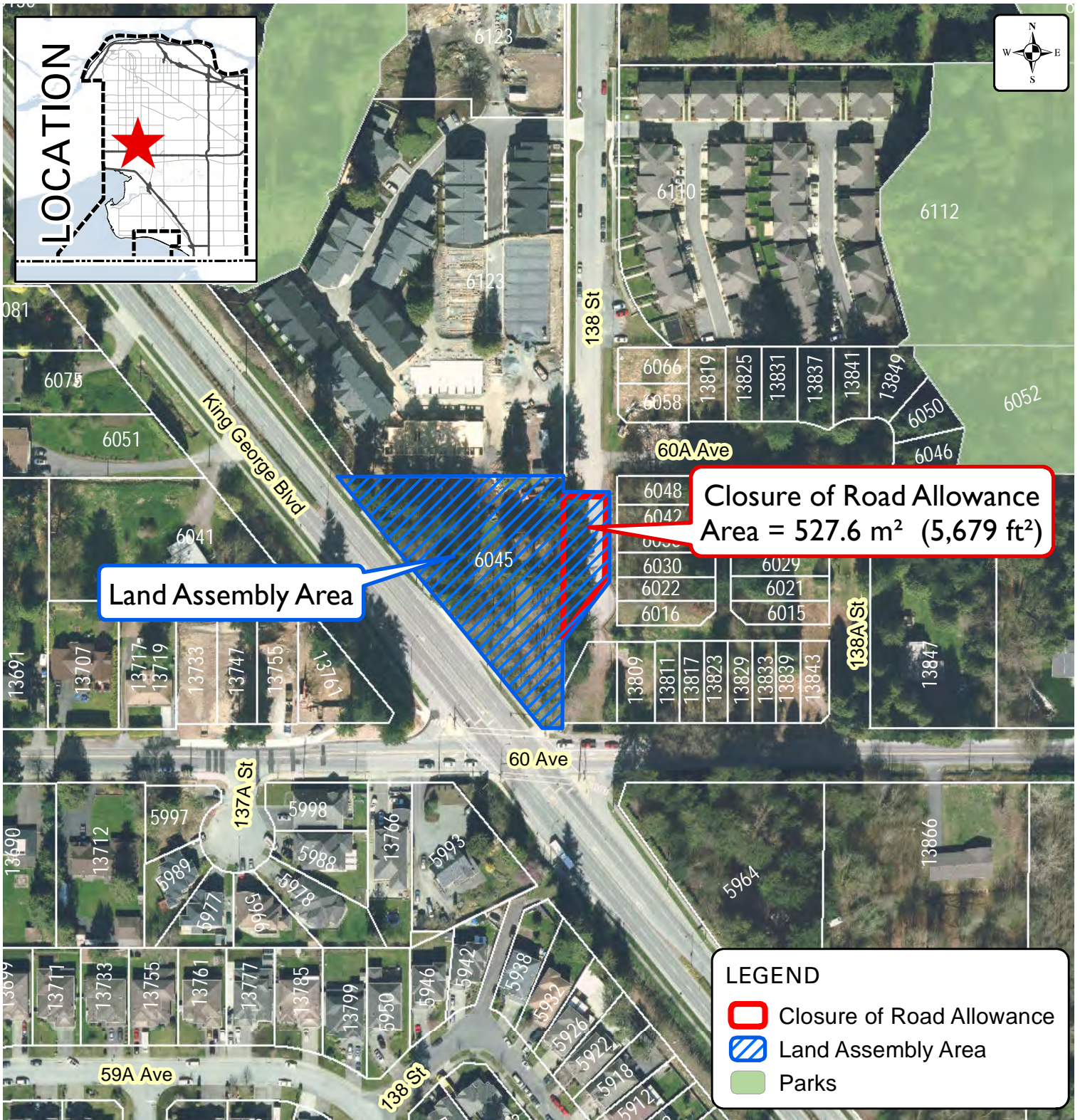


Gerry McKinnon
Acting General Manager, Engineering

BLO\lo/ras

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

APPENDIX I AERIAL PHOTOGRAPH OF SITE



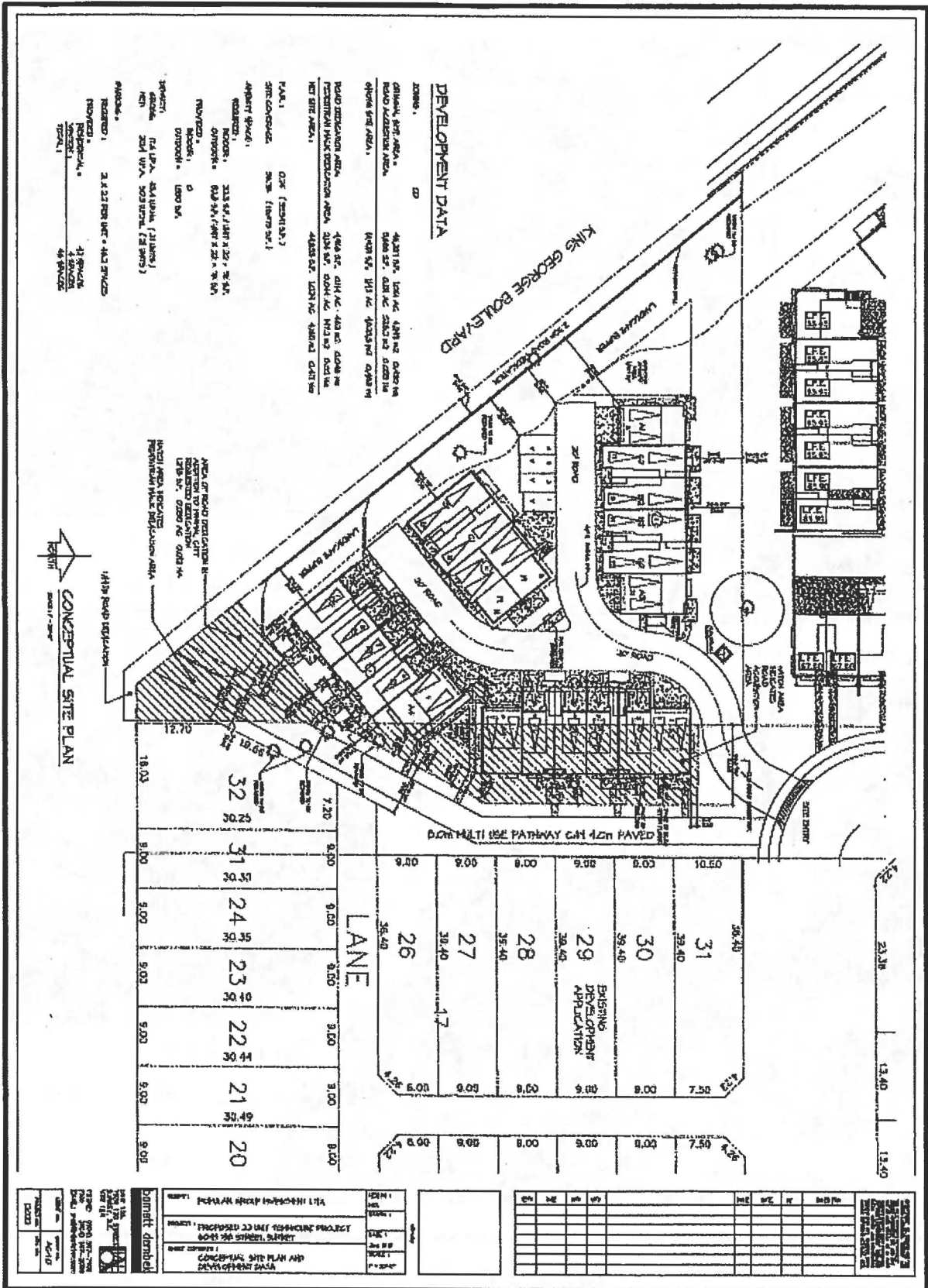
Produced by GIS Section: 18-Jun-2014, EM9



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

ENGINEERING
DEPARTMENT

APPENDIX II



DEVELOPMENT DATA

Zone: D2
 GROUND, 1ST FLOOR AREA: 44,211 SQ. MET. AC. 4,491 SQ. METERS
 ROAD ADJACENT AREA: 5,848 SQ. MET. AC. 584.8 SQ. METERS
 OTHER 1ST FLOOR AREA: 14,239 SQ. MET. AC. 1,423.9 SQ. METERS

ROAD ADJACENT AREA: 4,491 SQ. MET. AC. 449.1 SQ. METERS
POTENTIAL MULTI-USE DEVELOPMENT AREA: 2,045 SQ. MET. AC. 204.5 SQ. METERS
NET SITE AREA: 44,211 SQ. MET. AC. 4,421.1 SQ. METERS

PLAN: D2R (REVISIONS)
DATE: 19/07/2011

APPROX. SPREAD:
ROOF: 22.5 SQ. METERS (22.5 SQ. METERS)
CONCRETE: 62.8 SQ. METERS (62.8 SQ. METERS)
PAVING: 0
DRIVEWAY: 1,000 SQ. METERS

REMARKS: 17.5 SQ. METERS (17.5 SQ. METERS)
 20.4 SQ. METERS (20.4 SQ. METERS)
 23.1 SQ. METERS (23.1 SQ. METERS)

REMARKS: 2.4 SQ. METERS (2.4 SQ. METERS)
 4.1 SQ. METERS (4.1 SQ. METERS)
 4.8 SQ. METERS (4.8 SQ. METERS)

CONCEPTUAL SITE PLAN
 SCALE: 1:500

DATE: 19/07/2011	PROJECT: CONCEPTUAL SITE PLAN AND DEVELOPMENT DATA
DRAWN BY: [Name]	CHECKED BY: [Name]
SCALE: 1:500	PROJECT NO: [Number]
DATE: 19/07/2011	PROJECT: CONCEPTUAL SITE PLAN AND DEVELOPMENT DATA
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